

**ENVIRONMENT, LAND ACQUISITION AND PLANNING COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

MINUTES

A regular meeting of the Environment, Land Acquisition and Planning Committee was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **June 17, 2003**.

Members Present:

Legislator David Bishop - Chairman
Legislator Michael Caracciolo - Vice-Chairman
Legislator Ginny Fields
Legislator Vivian Vilorio-Fisher
Legislator George Guldi

Members Not Present:

Legislator Martin Haley

Also In Attendance:

Paul Sabatino II - Counsel to the Legislature
Tom Isles - Director of Planning
Lauretta Fischer - Real Estate Department
Christine Costigan - Real Estate Department
Nicole DeAngelo - County Executive's Office
Vito Minei - Department of Health Services
Jim Bagg - Council on Environmental Quality
Alexandra Sullivan - Deputy Clerk - Legislature
Ginny Suhr - Aide to Leg. Vilorio-Fisher
Ron Warren - SC DPW
Sean Clancy - BRO
Lee Snead
All other interested parties

Minutes Taken By:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 1:40 P.M.*)

CHAIRMAN BISHOP:

Good afternoon. This is the June 16, 2003 meeting of the Environment, Land Acquisition and Planning Committee. Please rise for the Pledge of Allegiance to be led by Legislator Caracciolo.

SALUTATION

CHAIRMAN BISHOP:

All right. The only member of the public that has filled out a card; is that correct, is Mr. Snead the Trustee from Bellport? Any other member of the public wish to address the committee? If you do, you need to fill out a card. Mr. Snead, come up on.

LEG. VILORIA-FISHER:

And he was here early.

CHAIRMAN BISHOP:

And he filled out -- in an abundance of caution, he filled two cards on two issues.

MR. SNEAD:

Good afternoon members of the committee. No, the two cards were requested by the Clerk outside. She wanted to make sure that I was heard on both issues. The first one I think is to adopt the CEQ's resolution of negative dec on this matter. And the other one is for the actual discussion of purchase. As you are aware, I've been here before on this particular matter, the purchase of a piece of property along what we call the Peat Hole Pond in the Village of Bellport. Peat Hole Pond is a freshwater pond that is within 20 or 30 feet of the Great South Bay. It has traditionally been used by the village as a winter recreational spot for ice skating primarily, and it's been used during the regular portion of the year by members of the public for bird watching and by the schools for educational purposes.

The pond itself is about an acre and a half to two acres in size, has a substantial chunk of wetlands that move up within the village. And part of the process here is to purchase the last vacant lot along this pond for purposes of a public park and to do some wetlands restoration and keep a natural ecological gem pristine if possible. I have a brief map here -- well, not a brief map, a survey showing what is intended to be purchased, and I've got some other documents I'd like to present to the board that will help clarify things. The documents that you have been presented with are simply some notes regarding the potential purchase along with an overview map that show the lots lines within the Village of Bellport surrounding the pond. If you refer to the -- to the overhead photo, you will see a diamond-shaped lot -- roughly diamond shaped-lot with a red dot in the middle of it. That is the purchase -- the lot to be purchased itself. The purchase price for the lot is \$450,000. We are apprised that the appraisal on this is somewhere between 500 and \$550,000. The land owner has agreed to sell it to the Village of Bellport and the County and the town for

less than full purchase price as he has an interest in making sure that the village has continued access through the park here.

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A note about that really quickly. Mr. Lee owns this piece of property as well as the eastern half of the Peat Hole Pond. There are two lots that are identified with Suffolk County tax maps, those -- he owns both of those. They are both presently up for sale, and in fact, the lot that is here to be purchased presently has a freshwater wetlands permit from the DEC. So it is a fully buildable lot at this time. We have talked with Mr. Lee, and as part of this purchase should it go through, he has agreed to give us the pond bottom from his eastern lot as well, as well as a chunk of the beach between the pond and the Great South Bay in order to do some restoration to wetlands and refurbish a drainage structure which is absolutely critical to the health of this pond. We are hopeful that with the money available from the County that we're asking for here, we can purchase it this year.

Mr. Lee has -- had actually given us to the end of last year, and he has extended that grant, that ability for us to purchase it due to funding issues. But we'd like to purchase it this year and start the restoration and the sluice gate maintenance. Again, referring to the map, the diamond-shaped lot with the red dot is the purchased property. There are five other lots that have -- that have been identified with a blue asterisk. The reason for those are, although they are not part of the purchase, we have spoken with the residents who own those parcels, and each has indicated a willingness to provide some form of a conservation easement or dedication of an easement to the village for the purposes of walking, which would be the two northern lots, as well as to preserve them from further development. So what you see here, even though we're asking for \$200,000 from the County for the purchase of one lot, what you are ultimately getting here is a six lot protection. And all of this land is within the drainage way of the Peat Hole Pond, which is part of the South Shore Estuary Reserve. We feel that's it's a good opportunity to protect those properties with minimal cost to the public. It's also going to provide an opportunity for education and recreation, which we think is valuable.

Lastly, if you look at the aerial map again, there is a lot that is identified with a yellow dot. Now, that yellow dot is roughly in the area of where the land owner is willing to put a retention basin, because if you look, there is a street along there. That street currently has a stormwater drain, which empties into the lot below it, which is identified with the blue asterisk, which is right in the middle of the stream that is feeding the pond. The owner north of there has agreed to put in a drainage pond and divert the drainage

there which will then have the effect of protecting the pond and waterways and the Great South Bay as well. The two lots over on the northeast will be dedicated to a walking pathway, and we are hopeful that after all this occurs, that we'll approach the South Shore Estuary Preserve to see if we can include this into its Heritage Trails Program.

Again, we're going for \$200,000. The County -- the Town of Brookhaven has committed \$75,000. We will commit the balance of the funds through the Village of Bellport. And property will be owned tenants-in-common between the town, County and village. And the town, County and village residents will have access to it. The purpose of

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the park, just so you know, is not to be developed, it's to have nothing more than a wood-chipped path in there with maybe some benches to change skates or to sit and enjoy the area. The idea is to restore the area and keep it as nice as possible.

CHAIRMAN BISHOP:

Thank you for that. You are holding onto the notion that this pond freezes over. It's very rare that ponds freeze over on Long Island any more, but, all right. Any questions.

LEG. VILORIA-FISHER:

Just a quick question. So Mr. Snead, the village portion of this is now 175,000?

MR. SNEAD:

The village of this will be 200 -- we have 200 from you should you grant it, we have 75,000 from the town, we have 15 that has been donated by local residents.

LEG. VILORIA-FISHER:

Okay. All right, because I was coming up with 200 from us, 75 from the town, and you said the price is 450.

MR. SNEAD:

The purchase price is 450, and we will be carrying the survey costs and the title costs to make the matter happen.

LEG. VILORIA-FISHER:

So what is the village contribution? That's what I said, 75, but some of that is from community people you said.

MR. SNEAD:

Yes, \$15,000 is community people. It's -- I think it's laid out specifically in the resolution.

LEG. VILORIA-FISHER:

Okay. I just didn't remember the numbers on that. Thank you.

CHAIRMAN BISHOP:

Any other questions?

MR. SNEAD:

Actually, do you have a copy of the amended resolution in front of you? Because I know that this had come in under Mr. Towle at a higher request for money and that's been changed. So I'm just wondering if you have the present resolution in front of you.

CHAIRMAN BISHOP:

That's a question for Counsel.

MR. SABATINO:

The corrected copy shows \$200,000 for the County contribution, and it shows the County share dropping from 75% to 44.44%, and it shows the village share increasing from 8.33% to 38.89%, which means that the Town of Brookhaven remains at 16.67%.

MR. SNEAD:

That's correct.

CHAIRMAN BISHOP:

Legislator Fields.

LEG. FIELDS:

I just wanted to tell you that I think you have done a great job on this. The last time you were here, I think we mentioned that there was some runoff and maybe you could look at it, and you have already come up with a resolution to that in accordance with the recommendations from the South Shore Estuary Comprehensive Plan. So I think you have done a great job. Congratulations.

MR. SNEAD:

Again, this is a design to fit into present plans to protect, and we as a village are going to have to meet EPA Phase II stormwater regulations too. So it worked out. And it just turns out the land owners there wants to create a pond, and it will serve a dual purpose. So we're very fortunate. As for freezing over, I've been on it in the last three years.

CHAIRMAN BISHOP:

I know last year. Anyway, SSECR --

LEG. FIELDS:
SSER.

CHAIRMAN BISHOP:
SSER. Okay. Have they issued a resolution of endorsement? Has it been presented to them formally or?

MR. SNEAD:
It has not at this point. We're going to speak with them, presuming we get the purchase done, as soon as possible, because one of the things we need to do is restore this sluice gate. The sluice gate is currently failing. It's very old, it's made of wood, it started to rot away, and we need to replace it. And we're going to be asking them for assistance with that matter as well.

CHAIRMAN BISHOP:
Is time of the essence in that -- I know personally, I would feel that it would be proper to wait for a new Legislator to be elected from this area in that it's primarily a district matter?

MR. SNEAD:
I respect that, but time is of the essence here. We actually are outside of the window that the land owner had given us that he agreed he would hold it for us to try to get the money. That ended on December 31st of this year. We told him that we were part of the way through and that the County had been doing the investigatory steps to validate the purchase. He agreed to give us the time to deal with it. It is actually imperative. I have spoken with Counsel to the -- to the land owner, and he indicates that he is getting very antsy at this point. Again, I respect the idea of getting a new counsel -- a new Legislator involved, I would prefer that we move forward at this

point, just because I'm fearful of losing the opportunity.

LEG. FIELDS:
Whose name is the corrected copy in on the resolution?

CHAIRMAN BISHOP:
It was his last act.

MR. SABATINO:
Dated June 13th.

LEG. FIELDS:
It is still Towle?

MR. SABATINO:

It's Towle and Foley.

LEG. FIELDS:

Because I spoke to Legislator Foley, and he said he'd be very willing to sponsor if it needed to be responsored.

CHAIRMAN BISHOP:

It's not orphaned.

LEG. FIELDS:

And I would recommend that we pass this today. And I would even make a motion to take it out of order --

LEG. GULDI:

Second.

LEG. FIELDS:

-- for the purposes of passing the resolution today.

1204. Authorizing land acquisition under pay-as-you-go 1/4% Taxpayer Protection Program, land of Peat Hole Pond property, Town of Brookhaven. (TOWLE and FOLEY)

CHAIRMAN BISHOP:

I don't like those motions of taking it out of order, but there seems to be an overwhelming -- motion by Legislator Viloría-Fisher to take out of order -- Fields, excuse me -- seconded by Legislator Guldi.

All in favor? Opposed? I'm opposed to taking it out of order. Now, the resolution is before us. Motion to approve by Legislator Viloría-Fisher -- Fields, seconded by Legislator Guldi. All in favor? Opposed? The resolution is approved unanimously. APPROVED (VOTE: 5-0-0-1) (Not Present; Legis. Haley)

MR. SNEAD:

Thank you very much. It's been a pleasure to appear before you.

CHAIRMAN BISHOP:

All right. I'm coming down there in the winter with my skates, even if it's 50 degrees out. The other cards are from members of the Administration, Mr. Isles, but he comes up automatically, I don't know why he filled out a card, and Mr. Warren, Ron Warren is from DPW. You

are here to answer questions if we have any.

MR. WARREN:

Correct.

CHAIRMAN BISHOP:

Okay. Mr. Minei, you want to come forward? I know I promised you an opportunity to make a pitch for your Vector Control.

LEG. CARACCIOLO:

Mr. Chairman, while we're waiting for Mr. Minei, when he does join us, could he just provide the committee with a brief update on his visit to the Riverhead Landfill Asphalt Recovery Plant.

CHAIRMAN BISHOP:

I thought you didn't like that issue.

LEG. CARACCIOLO:

Well, as you recall, last time representatives of the town were present, I had requested his department look into the documents prepared by the town's consultant. And as a result of that, the town provided his office with the documentation, and he subsequently field visited the site and would like to share with us his observations and comments.

MR. MINEI:

Good afternoon. Do you want me to start with Riverhead Landfill? Sure, Mike. At Legislator Caracciolo's suggestion to Councilwoman Barbara Blass, she did indeed send me some information on the Riverhead Landfill reclamation. After I had an opportunity to review it, I asked Councilwoman Blass if I could have a site visit, and she welcomed us onto the site. And I subsequently sent Councilwoman Blass my summary of our findings. My letter to Barbara Blass is dated June 4th, and in essence, I was rather pleasantly surprised and positively impressed with the overall reclamation project. They have ultimate plans of establishing ballfields and parks at the site.

And what I viewed was not the asphalt plant, it was not in operation at that time, they were still awaiting the air permit, and I subsequently was informed which the State DEC Solid Waste Engineer that that permit was forthcoming. That facility, I believe, may already be in operation now, I'm not sure. But again, my take on the landfill was rather surprising to me having visited unfortunately a number of landfills other my 35 years in this business. There were no seagulls, no dust, no odors. A lot of it attributed to the date since the landfill last was active, which was 1993. But one of the things that I was taken by was the operation using some very sophisticated equipment of bailing the residual solid waste. They go a whole process of separating the materials into aggregate for the asphalt, some wood particles that they compress into logs and other materials. But you do end up with residual solid waste. And I was again rather favorably impressed with this bailing operation, and they literally shrink wrap it, as we often see boats being done here on Long Island, to be carted away to a landfill in Virginia. I also understand from the engineer retained by the town that they are investigating ultimate

uses of even this material, the residual solid waste, that it might

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become a fuel product that can be utilized for co-generation of heat and steam.

So all in all, again, I was very favorably impressed with the operation. I am not an expert on asphalt manufacture, but I was taken, again, positively by the location of the asphalt plant. We have -- we have some problems here in Suffolk County with asphalt plants, with the piles of aggregate and dust that's generated and noise from the -- from the operation. This asphalt plant is located in a depression that was caused by the sand mining that was used for the cover material. So even the location impressed me. So again, I thank Barbara Blass for what turned out to be a very educational site visit by one of my staff members and me. And I commended her and the town for what I believe is a very progressive project.

CHAIRMAN BISHOP:

I just -- the questions raised by the opponents of the project, presumably they are encouraged by the industry, which resents having government competition now in their industry for the sale of asphalt, is that the toxins in the asphalt will ultimately survive the integrity of the asphalt and end up in our aquifer. I think that's one of the criticisms that Mr. Middleton raised, and was one that obviously none of us have the scientific background to address. We were hoping that you do. Is that something that you were able to look at?

MR. MINEI:

Tangentially, I can give you this input. In my letter to Councilwoman Blass, I indicated that the Health Department installed some groundwater monitoring wells back in the early '80s. And from some landfills, indeed, we were detecting toxic and hazardous materials, and it gave rise to concern and was probably the primary impetus for the landfill closure law. We did not find those kinds of chemicals back in the early '80s, and I was reassured by the State DEC engineer -- we've turned over the entire operation to them, and they are not finding any toxic or hazardous materials in the leachate in the monitoring wells around there. The other point --

CHAIRMAN BISHOP:

So that meaning that if it's not in the leachate and it's not in the garbage pile, therefore, it's not going to be in the asphalt, is that the assumption?

MR. MINEI:

That's some circumstantial evidence, but I wouldn't say it would be conclusionary. But the other point I was taken by was reviewing some

of the testimony by the engineer retained by the town, and to a large extent I agree with him. Number one, we've done a lot of stormwater runoff investigations, Suffolk County Health Department has. And typically you consider asphalt as impermeable surfaces. So you don't think of leachate through an asphalt into groundwater a contamination. The concern might be with some erosion of asphalt surfaces and any toxic materials that might be -- might be carried along with this erosion of this surface. But typically, anything that might be a component of the asphalt is overwhelmed by what's deposited by other human activities; materials from gasoline, automobile brake lining and things like that is typically what we find as a concern with regard to

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any toxic or hazardous chemicals. I'm not personally aware, and I would await some of the testimony I witnessed here as well, if indeed others have seen toxic or hazardous materials as part of stormwater runoff coming from the asphalt itself. So I'm not personally aware of that being a problem, it may be. But in general, I would say again that I was impressed by the testimony of the engineer retained by the town.

CHAIRMAN BISHOP:
Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:
I just had a very quick question. Because, Vito, you had mentioned that the last time it was active was in 1993. And some of the testimony we went over was that the material is heated to 400 degrees, so were there to be any e-coli, that would burn off at a much lower level of temperature. But if this hasn't been active in so long, what are the chances that any kind of bacteria would still be active and alive?

MR. MINEI:
You know, if there was organic material, I think you'd see a lot of things, and that's why I was somewhat surprised until it was expressed to me that it has been closed since 1993 to active land filling. So we did not notice any odors of organic material, no seagulls, no vermin, no rats.

LEG. VILORIA-FISHER:
So that would indicate that there is no active --

MR. MINEI:
That there literally is no organic material, which is -- was somewhat surprising to me, because we've always been told for years that the landfill, the way it's done, just dumping it and covering it, still retains the ability long term for decomposition. I honestly did not

see any of that. I was -- it was almost counter-intuitive to what I've been told for the last 25 years with regard to landfills. We have all heard the graphic stories of how can things can stay viable in the landfill environment, but I won't go there, it's too shortly after lunch time. But I honestly did not see it. We took an entire tour of the grounds, and I saw -- it was lunch time, and I was there were union employees, so there wasn't a lot going on, but there was equipment moving around. And I did not notice any odors, dust, seagulls, rats or any other vermin on the property, which is a good indication that there isn't much of a food source left for any of the animals.

LEG. VILORIA-FISHER:

Thank you, Vito.

LEG. CARACCILO:

Okay. Vito, with respect to the regulation of this new facility, does the operation fall under the jurisdiction of the Health Department? And if so, what manner? Are there any permits that must be applied for, and what is the process for issuance?

MR. MINEI:

Almost entirely the permitting authority rests with the DEC. Part 360 is the landfill law, solid waste laws are all handled by the DEC, all the permits, the air permits for the asphalt plant. The only area of jurisdiction I saw in my tour was that there were fuel tanks for the asphalt plant, and they have to be registered. We were informed by the engineer that registration would take place very shortly. So that registration may already be in our Pollution Control Office in Farmingville.

LEG. CARACCILO:

So as to the issues that were brought before this committee by those who were in opposition to this landfill being used as an asphalt recovery plant, they would solely forward then the jurisdiction of the New York State Department of Environmental Conservation?

MR. MINEI:

As far as I'm aware, yes.

LEG. CARACCILO:

As far as the documents that Councilwoman Blass provided at my request, and I spoke to Barbara the next day, she told me she would have that to you in several days. I followed up with you. You had it about a week and a half later. I know they are voluminous. Is there any reason for us to rest at ease that even though you don't have the staff to pour through those documents, that is not something that

would be a mere exercise, but something that you feel is not necessary?

MR. MINEI:

I would agree with that characterization. I think you also have to recall with the recent regional administrator for DEC, Ray Cowan's background was in landfill, solid waste. So he was personally involved in the closure of Suffolk County's landfills. And I know when I spoke to the staff then, they were discussing the fact of that personal relationship of them as site engineers reporting directly to Ray Cowan and their personal interests. So again, I was favorable impressed with how conscientious the engineers on site were, that fact that he is there every week surveying the property. So to the extent that we would investigate groundwater contamination or possibly be involved in any air concerns, one of the things that caught my eye was that there was a trailer park nearby, I could see through the woods, and I was asking are there concerns about dust, noise from the people in the trailer park, and I was informed no, there had been no expressed concerns with regard to the operation. So again, to the extent that you are getting the benefit of about an hour and a half visit from a staff member and me, I was impressed.

LEG. CARACCILOLO:

There's no record of complaints from constituents in the area?

MR. MINEI:

I don't have them, and I was told by both the DEC representative as well as the town representative that no, they have not received any complaints.

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LEG. CARACCILOLO:

So at this juncture, it would be fair to say that there's no further involvement on the part of your department or any County agency.

MR. MINEI:

Unless invited. I would be interested in some follow up on any testing of the asphalt material with regard to runoff constituents. Would be the lingering doubt if I had any with regard to that. But as I said in the many many years that I was involved -- I know they expressed to me their chagrin, because it was my understanding that this operation went out to competitive bid. So they were a little taken back by the reaction. But I'm not an asphalt engineer. You heard from our DPW rep on the constituents of asphalt and what they look at for the structural integrity of asphalt. I defer entirely to our DPW colleagues. But I would still be interested in any runoff sample.

LEG. CARACCIOLO:

Vito, let me thank you. And unless you think there's some need for legislation along these lines, would you say it's fair -- it's fair to say that we can close the chapter on this issue at this time?

MR. MINEI:

That's your prerogative.

LEG. CARACCIOLO:

Okay. But let me ask you, because the Chairman just said in jest, you know, we can file legislation to require the Health Department to do follow up testing on the asphalt materials. Is that something you would like to see me do or would make -- give us assurances that you will in fact do that?

MR. MINEI:

We usually take initiative, and we're pretty resourceful. We would probably do it. In fact, I asked to be -- for another visit when the asphalt plant was in operation. I was anticipating taking sampling. I prefer not to comment on those things until I have the results in hand. If you want to direct me to do that, I will not fend you off. It's probably appropriate.

LEG. CARACCIOLO:

You can expect that legislation then.

CHAIRMAN BISHOP:

Thank you, Mike. Let's move on. Let's go on to the topic of Vector Control.

MR. MINEI:

I was going to request more staff to do the sampling.

LEG. GULDI:

I look forward to you addressing that issue when the legislation is before us.

MR. MINEI:

I do want to thank you, Legislator Bishop, because I did indeed ask

that we resolve the issue of the Vector Control budget and the funding. I believe we've done all we can to this point. We've responded to questions. We had a presentation by Walt Dawydiak, who joins me today, who's not only our chief engineer, but would be the project manager for the Vector Control long term management plan and GEIS. We've discussed the budget, we provided most recently detailed breakdown of the consultant team. And I know there were a lot of

questions about the amount of money and what our are getting for that sizable budget. And I think the task by task breakdown gives you that inside as to what's envisioned. It is a special project. It is a multifaceted comprehensive project, but I believe it was engendered and is totally appropriate, because of the questions and comments we've had.

The citizens had some legitimate concerns. There is a national debate about environmental impacts of Vector Control programs as well as the concern not only here intramurally in the Health Department, but also on a national scale of the concern about communicable diseases from mosquitos as well as the corollary, the potential public health implications of the use of pesticides. So it's a major sophisticated project with, I believe, a very impressive work team that's been assembled for this purpose and surprisingly has been kept together for nearly the year that we have debated this. So hopefully, the information I've provided is compelling. Walt and I are here today to discuss any details, but we do ask you to favorably resolve the resolution to approve the budget so we can move on with this.

Please keep in mind, please keep in mind, that the recourse is not to go back to business as usual. Your recourse is to do a Generic Environmental Impact Statement. And I think there are problems with that. We discussed how I thought it would be unsatisfying to a lot of the public. I think you would find it here in the Legislature unsatisfactory to resolving questions. And I would also raise, and Walt and I have discussed this, the matter of the budget. You are probably talking at least about a \$2 million GEIS, and I don't believe that it as assured I thought the management plan and implementation of recommendations is appropriate for the quarter percent sales tax. Having said that, Walt and I are here to entertain any questions.

CHAIRMAN BISHOP:

Could you refresh our recollection of what changes were made between the initial proposal and the second proposal? As I recall, what I was hearing Legislators balk at was the enormous sum of money being paid to Cashin Associates now for a literature review.

MR. MINEI:

I'm going to ask Walt to respond to those detailed questions.

MR. DAWYDIAK:

If I could approach to hand something out.

MR. MINEI:

I would generally -- while Walt is handing is that, the literature review was impressive to me, because oftentimes when I review proposals, I don't even look at the response to the literature review, because it's usually pretty cut an dry stuff. But in this case, it's

a pretty involved literature review with some of the medical experts as well as technical experts participating, not just Cashin and Cameron.

CHAIRMAN BISHOP:

What is a literature review? Perhaps that's part of the problem.

MR. DAWYDIAK:

A literature review is an exhaustive compilation of information which is available in the scientific, technical and regulatory community. In our case, this involves not just published articles in major magazines, but also a lot of interviews with other mosquito control agencies that have collected data, possibly compiled non published reports. Again, we're talking about a half dozen different disciplines here, which is why the price tag is so high; cancer, disease transmission, mosquito risk assessment, and the list goes on and on.

CHAIRMAN BISHOP:

And if we are just one jurisdiction that's part of a national debate, wouldn't other places presumably places with larger treasuries, such as states, be engaging in the same literature studies? I mean, why -- each one has to do it on its own?

MR. DAWYDIAK:

We find ourselves at the forefront here with the responsibility to do at a minimum a Generic Environmental Impact Statement. And if we were to pare back the literature review somewhat, we would still have that responsibility, as did New York City, as did Westchester. Our literature review is a little bit larger because it involves laying the groundwork for demonstration projects, for monitoring and for other activities. But there is a lawful requirement of anybody doing a GEIS on such a program to see what literature is out there.

CHAIRMAN BISHOP:

Here's my non expert politician's understanding of the literature. We're going to pay a consulting firm -- how much is it to do the literature review, just that aspect of it? Every time I want to vote for this, I start in on this.

MR. DAWYDIAK:

Task two is the regulation and management programs. Task three is the literature review, and the price tag is \$325,000 for the all the experts as well as the consultants.

CHAIRMAN BISHOP:

Okay. So we are paying one firm \$325,000 to contract with people to

read all the documents that are in the public's fear regarding mosquitos, then -- then they have a bunch of experts that are -- that we have to -- I mean, what happens then? They're at our beck and call forever or we have to pay them again to tell us what do with all that information?

MR. DAWYDIAK:

No. The point of this is to apply the information. I mean, it's all compiled with an eye to what we do with it. Immediately, some of the

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things will be incorporated immediately into monitoring programs and approaches, others will bubble out later in the study.

CHAIRMAN BISHOP:

Why wouldn't we hire two more of you at 150,000 and then we'd have on staff -- we'd find a reasonable salary for your clones. And with your clones, we would have two people on staff forevermore as experts, I mean, in the area.

MR. MINEI:

First of all, the point that's made multiple times throughout the response to the RFP is that a lot of these are experts in their field, number one. So we would not be hiring two experts for a total of \$150,000. Number two, you have to recall that we get a product out of this literature review. It isn't that they just assimilate all this information in their brains and they advise us. They provide a document that we have forever more on the literature review, which is a distillation and an explanation of how it all implies to us. That's another recurring question I have, that you hire experts from around the country, how do you know it's appropriate to what you do here in Suffolk County? That's the whole point that keeps bringing them back to home base, that they have to make it relevant. And the idea is you get a product out of it. That's a lot of what Cashin and Cameron are doing, they're the editors, they're the preparers, they are the distillers for our benefit that prepare this report of the literature review.

CHAIRMAN BISHOP:

So you wouldn't want to have the expert on your staff in perpetuity? You want to contract with the consultants for a specific report for the specific mission?

MR. MINEI:

Well, the idea is we in the Health Department do have expert medical staff on communicable diseases. In fact, much of the article in Newsday this weekend dealt with that. But the idea is the advise is prepared by the consultants for experts on staff, not only in the

Health Department, but in Vector Control. The guidance is two fold here. It's to help the monitoring, the environmental monitoring of the Division of Environmental Quality. It's to provide insight and guidance for the medical staff on when they call for spraying. And it's to provide guidance on alternative measures for Vector Control to DPW. So you will have staff in those elements of County Government.

CHAIRMAN BISHOP:

So Mr. Cashin and Mr. Cameron have on their permanent staff people who have this expertise?

LEG. VILORIA-FISHER:

No.

CHAIRMAN BISHOP:

So then we pay them to pay somebody.

LEG. GULDI:

Right.

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LEG. VILORIA-FISHER:

I didn't --

CHAIRMAN BISHOP:

Why do we need them?

MR. MINEI:

Well, for the oversight and management of the entire program. But the thing that was unique in this project was that Cashin and Cameron did not apply a profit or an administrative cost and overhead to that. That's uniformly accepted, but in the attempts of negotiating the budget, we did not pay extra for their oversight of this list of again, formidable experts on that.

MR. DAWYDIAK:

The other point I want to emphasize, we estimated that this is ten years plus of staff time that's going into this between Cashin, Cameron and their experts subconsultants. A lot of what the people at Cashin and Cameron are doing, we could do. That's roughly half the budget, 1.4, \$1.5 million. But we're getting senior to managerial level people there with PhDs, biological credentials, that we just don't have that we can spare internally. You know, hiring an entry-level person to do some literature review, that's feasible. You know, getting project management people on full time in the short order over a two to three year time frame is just a virtual impossibility.

CHAIRMAN BISHOP:

But we don't have them once the contract is up, that's what troubles me about the whole thing.

MR. MINEI:

It's true with every consultant contract, though. And almost every project I have done in 25 years begins with a literature review. And I said at the outset, it's usually pretty cut and dry. So you end up with a document that your staff will utilize from this point forward. So, yes, you don't have them, but we're talking about either the Harvard School of Public Health or the Mount Sinai School of Medicine. We wouldn't have them in any event. But the idea is I thought it was impressive that we could attract this kind of nationally and internationally renowned expertise to this kind of a program to prepare a document for our continual use.

CHAIRMAN BISHOP:

The expert at Harvard or at Mount Sinai, how much are they being paid for how much -- how does it work?

MR. DAWYDIAK:

If I could draw your attention, you had gotten a package from Legislative Budget Review, which gave you an excellent overview of this entire process. Legislator Fields had requested a bit more information in the way of numbers, and we were happy to oblige. On May 19th, the entire committee received a copy of a package, and this legal sized document with the big black header is the best thumbnail sketch of every consultant on board, what they are doing in each task and how much they are being paid. So essentially the bottom line

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number for tasks two through 14 for Cashin and Cameron is 1.44 million, and every other consultant reports directly to Cashin and Cameron. And for example, as I go down this list, we can look at the some of the medical consultants; Harvard School of Public Health is on board for \$71,000. The Harvard School of Public Health wrote the book on disease transmission.

CHAIRMAN BISHOP:

So what will they do. Let's -- let's take an example. You can pick the example. Can we stick with Harvard School of Public Health?

MR. DAWYDIAK:

Sure.

CHAIRMAN BISHOP:

All right. What will they be doing for 71,000?

MR. DAWYDIAK:

What they'll be doing is in consultation with the prime consultant, Cashin and Cameron, identifying the relevant literature historically and research, which is ongoing to determine what mosquito risks are to public health from various diseases, whether it's West Nile or Eastern Equine, Encephalitis or other diseases with an eye toward tailoring an approach that works for us to ultimately let us assess the risks to Suffolk County. They'll be looking at disease transmission, models, epidemiological data, ongoing research. They'll be looking at our population patterns, our insect patterns, and basically compiling a document which lays out the tools we can use to assess the risks to County residents and coming up with recommendations for how to move this information forward in the context of the rest of the study. So they may determine, gee, the salt marsh mosquito does have some minimal risk of West Nile Virus transmission, but due to the low incidence rate of the actual West Nile Virus coupled with the patterns, it doesn't make a lot of sense to focus your resources there. Or it may go the other way. I mean, nobody's ever collected, compiled and analyzed this data in that sort of a manner. But these are the people with the background, nationally and internationally, that come up with this sort of an assessment.

MR. MINEI:

I would also add that one the major cost items is devoted to a firm called CPF, which is given the task of doing the health and ecological assessment, which to my mind is the core of this entire project. So of that 300,000 plus for a literature review. If you want to take a look at the summary given in the package that was provided by the consulting firms, it was -- it was given to you, there is a more thorough description of each task in the actual work plan. But the idea is CPF, the firm that does the health and environmental assessment, will be reviewing this kind of work that's been done throughout the nation. And it is rather cutting edge stuff. And it is what the federal government relies on. For better or worse, these risk analyses are really the primary tool for making decisions. We're confronted with that in your evaluation of Brookhaven Lab, and it's something that the national government requires as part of these evaluations.

MR. DAWYDIAK:

If I could just take a step back, Legislator Bishop, and answer your initial question about where the study has been and where it's going. If you look at the status report, this is the latest version that we handed out, page three is titled, "Increases in Scope," and this pretty much identifies what we started with. We scoped out a program that we initially internally estimated would cost around \$2 million. The consultant came in two and a half million. And when we went back

and looked back at the number of hours, they were actually remarkably similar to what we estimated. The difference in cost was attributable to the fact that a lot of the expert consultants including medical people and other experts were more expensive on an hourly rate than we had anticipated. So we start with this \$2.5 million baseline, we went to 4.6 million if you recall, then at this committee's recommendation, we segregated out national level research issues which were really not part of our initial action, and that appears on the bottom. So this is a kind of a net product of that entire effort. We added elements requires by SEQRA, including sensitive human populations, nuisance versus health issues, food crops, the list goes on down. All of those field measurement things, which were requested by state and federal governments looking at the basic fundamental chemical fate and transport processes, looking at the food web dynamics, cage fish study, non target organisms. These were not things that we initially wrote into our work plan, because we thought that they were bigger than needed, because we tried to focus our questions again, based on comments from the public, from agencies and from other folks. They bubbled up as being quite important, and we want to see them done. Out of that million dollars, we've already made several grant applications. We procured \$150,000 in commitments. We have another 500,000 in outstanding grant applications between the bond act, EPF and other sources of funding, we hope that even more comes in. So we're making good progress towards funding these with state and federal funding sources. We're not there yet, but we're optimistic that we'll fund most or all of it with other funding sources if given time.

LEG. VILORIA-FISHER:

I'm glad to hear that, because that's one of the things we initially talked about, looking for other funding sources. I'm sorry, Mr. Chairman, I just remembered it from a previous conversation. But I think I've made very clear in previous meetings that my biggest problem is that when we're doing the literature review, and we understand the importance of having world class experts, this is cutting edge, we understand that. Our program is also a very unique program because of where we are, our environmental concerns are such that they make them very unique. However, when we break down where that money is being spent, I'm still troubled by the amount of money that Cashin is getting, because of the three point -- of the 2.9 million that is going into that area, 1.366 million is going to subcontracting the expert health and environmental consultants. Okay, that your Harvard specialists, you Mount Sinai School of Medicine. That leaves -- of the 2.9, that leaves 1.6 going to Cashin Associates. And that's I think where David was going, okay, because that looks to me like administrative and managerial, kind of GCing a program, the general contractor who is subcontracting. And if I understood his question correctly, why not higher a person who could be the project

manager over this who would stay with us after the literature review is done? Why pay Cashin Associates \$1.5 million in order to get them to spend or subcontract for a total of -- that comes to less than what their managerial costs come to? You see what I'm saying? If we were talking about 2.9 million and two million or 2.5 million were going to getting the real experts who are doing the work here, and half a million were going to the person who is managing this, I could swallow is more easily. But Cashin Associates is getting more than all of these world class experts combined. And I have a problem with that.

MR. DAWYDIAK:

I guess I have a two part answer to that. The first part is that a modest portion of their time is going to be involved in the mechanics of managing other people. They're doing a tremendous amount of field work. For example, there are 25 separate wetlands areas that are going to have to be characterized, inventoried, reported on, analyzed and worked with. That work is all being done by them. A significant portion of the literature review in terms of the actual labor of reading, writing is going to be done by them at the direction of their experts. At virtually every juncture, they're doing the lion's share of the work either in the field or in the office working with the models and the data with the help and guidance of the consultant.

LEG. VILORIA-FISHER:

Can I just -- where is Cashin's expertise? Wherein lies their expertise? What is their company made up of?

MR. DAWYDIAK:

Biologists and engineers I would say are the predominant components of the people that would involved on this project.

LEG. VILORIA-FISHER:

Okay. So what you are saying is that they are doing the field work themselves.

MR. DAWYDIAK:

A significant portion of it.

LEG. VILORIA-FISHER:

Their staff is doing it.

MR. DAWYDIAK:

Yes. Now, if we could hire five seasoned people immediately and have them on board for three years, I would say we can do what they're doing.

LEG. VILORIA-FISHER:

How much would it cost us to do that?

MR. MINEI:

First of all, the project manager, Greg Green, has about between 25 to 30 years of wetlands work here in Suffolk County. So to get someone on that order, you're talking close to \$100,000 in base salary. But I think -- I think we're still missing two things. First of all, it isn't just Cashin Associates. The primary team managing this program is indeed Cashin Associates with Cameron Engineering. And one of the

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points that made their team formidable was that part of Cameron Engineering is the former Public Works Commissioner of Nassau County, who oversaw the Vector Control Program for Nassau County. So we immediately incorporate into this work team what you would hope would be the most relevant program.

LEG. VILORIA-FISHER:

That doesn't help make it stronger for me.

MR. MINEI:

Okay.

LEG. VILORIA-FISHER:

Not somebody's who's politically connected. That doesn't help.

MR. MINEI:

I was talking geographically and also your point about the unique wetlands. I mean, their south shore wetlands is indeed different from their north shore wetlands as is the case here in Suffolk County. So I mean, their program while it was functional to the extent comparable to our's was that point. But you think to be fair, you know, instead of asking you to read the detail of the work plan, I thought that the consulting team did a good job of explaining where the responsibilities of the various consultants were in this portion of the package that was sent to you. And you will see that Cashin and Cameron take on a lion's share of not only overseeing and managing, but actually preparing the products for each task. And those are very important aspects of this program. It isn't -- if you think of Cashin and their ability as construction managers or something like that, that isn't comparable to what's being done here. And when you said, "What is their expertise?" The core team of Cashin that was assigned to this project was again someone like Greg Green who has a lot of work, who to my estimation did one of the best products for the Peconic Estuary Program on submerged aquatic vegetation. So that's directly relevant to this program. Also, they have another major investigator with a biology, chemistry water quality background who's on it. They also have expertise in Environmental Impact Statement preparation in both firms; Cashin and Cameron. So that gets

incorporated automatically into this program. So when you say, "Gee, why don't you just go out and hire that kind of expertise?" In the core team that they provide, it would be very difficult to say, go hire two people. You wouldn't get that breath of knowledge in two people we're going to hire in short order if we were lucky to do that. So you really have to look at all the responsibilities that are inherent in this overall program.

LEG. CARACCILOLO:

Vito, the individuals that you just named, Mr. Green etcetera, are they full time employees with Cameron and Cashin Associates?

MR. MINEI:

Yes. Greg Green has been for some time with Cashin Associates. In fact. I believe he is in charge of all their environmental programs.

LEG. CARACCILOLO:

Okay. So these are not for-hire consultants or subcontractors?

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MR. MINEI:

No. The key staff have been with both firms for a considerable length of time.

LEG. CARACCILOLO:

So what other type of work in this particular area have those individuals that would be part of the core team undertaken?

MR. MINEI:

Well, again, just quickly looking at it, I don't believe their strength -- and I don't think they would claim -- would be Vector Control. But certainly in the environmental aspects that we are concerned about; wetlands protection, water quality concerns, water pollutions concerns. They have done a lot of work with regard to stormwater runoff activities. That is a major element -- in many cases, an overwhelming element of the Vector Control Program is the stormwater impacts. And quite honestly, please be prepared that we're entering a new era of stormwater permits. And a lot of the stormwater control deals with retaining stormwater. So think of all this storage of stormwater and stagnant water that we're going to be dealing with in short order that may seem a little contrary to the water movement elements we try to incorporate in Vector Control. So their background is in stormwater runoff control, in marine biology, in environmental analysis. All those were strong suits in their proposal.

MR. DAWYDIAK:

They've done work for the Peconic Estuary Program; biological

inventory work, submerged aquatic vegetation, wetlands design. We've had a number of very positive experiences with them going back many years.

LEG. CARACCILO:

Who are the members of the committee that selected their proposal?
Who was on that committee?

MR. MINEI:

Well, Walt and I and two other staff members from ecology -- our Office of Ecology. And on DPW's side, it was from Vector Control mainly, as well as their administrative staff. But keep in mind, we were constrained going in by the Local Preference Law. And I got a number of during the time period from when we first released the request for proposals to when we reviewed the proposals from local firms that were blown away, simply blown away, by how thorough and professional the RFP was. They just felt uncomfortable with their ability to assemble to this kind of a staff and retain them over a three year period.

LEG. CARACCILO:

Well, that leads me to the question that has come up before around the horseshoe, and that is the very essence of the Local Preference Law, because while it was well intended to provide those qualified businesses and consultants and contractors and edge in doing business on behalf of the County, are we in effect putting a limit on looking beyond the local universe of expertise wherein we can go perhaps -- when you look at the others, how many proposals were submitted?

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MR. MINEI:

There were two.

LEG. CARACCILO:

Just two. Both were local?

MR. MINEI:

Yes. Camp, Dresser and McKee, which is another formidable consulting firm who we've had very favorable activities with. I mean, they are the firm who did our groundwater modeling for our drinking water aspects. And they've done work with regard to the Southwest Sewer District on the flow augmentation needs. So they were two very competitive and very well thought out proposals.

LEG. CARACCILO:

So none of the other experts so to speak in this field, consultants -- consulting firms. And how many -- how many proposals did you send out to how many potential consultants?

MR. MINEI:

I forget. It was indeed advertised, and there was probably not too many that were sent out. There are prequalified lists and local preference lists that we have in hand. But -- but the point in this case --

LEG. CARACCILOLO:

There was more than two.

MR. MINEI:

Yes. There was more than two.

LEG. CARACCILOLO:

Was it more than or less than let's say half a dozen?

MR. DAWYDIAK:

At least a half dozen. It was a DPW procurement, so we don't have those numbers offhand, but certainly at least --

MR. MINEI:

At least a half dozen, probably not much more than a dozen or 15 because of -- because we've honestly run into the anxiety of national firms being ready to prepare having been spent some time putting together a work team ready, because it takes a lot of time and resources to put together a response --

LEG. CARACCILOLO:

Sure. And then they know that there's a Local Preference Law and they feel, well, why go through the bother, because even if we're -- we're competitive, we're going to loss out because of local preference, which leads me to my next question. Should we have a mechanism that provides a waiver under the Local Preference Law? Because I know as Legislator Fields and others have cited, we consistently hear the names of these local consulting firms, two of which we're talking about right now, and that troubles some Legislators, that it seems if they have some kind of a political advantage -- I'll say it, they wont, I'll say it -- you know, I'm sure if you pull financial

disclosures of candidates running for elected office, you wouldn't see them contributing to my campaign, but I'm sure you will see them in others, and that kind of connotation could cast, you know, doubt in some peoples' minds, whether fairly or unfairly, it's there. The fact of the matter is I'm thinking in terms now of the waiver. Is that something given your experience, not just with this proposal, but overall, is that something we should consider?

LEG. FIELDS:

Mike, would you suffer an interruption?

LEG. CARACCILO:

No.

LEG. FIELDS:

Can I ask you a question?

LEG. CARACCILO:

Vito, would you answer my question?

MR. MINEI:

I'll be glad to. I don't feel uncomfortable at all with the proposal and the work team we have in hand, because typically what we have in major comprehensive programs that have elements of very exacting expertise, we look to see if they are securing these kinds of experts from around the country. And in this case, the environmental risk assessment is being done by a Maryland firm that's done work all over the country. I mean, high profile, very, very sophisticated work. Again, we've talked about some of the medical expertise. The thing that was also impressive to me with reviewing this proposal was trying to balance this question of we have to make this relevant, we really have to work to make this pertinent to what we do here in Suffolk County. But there's always the question, no matter where I go in Suffolk County, well, what do other places in the country do. And what's impressive about this work team is people like Dr. Parsons from the Houston area who runs his own Vector Control Program, but he's linked to the Gulf States. There's a researcher named Crans who does work at Rutgers for New Jersey. There's a researcher from the University of Rhode Island on the work team. So the importance of their work here is to bring that northeast region, southeast regional expertise, but also translate it into a Vector Control Program that we can use here in Suffolk County. So to answer your question, in this instance, I'm not uncomfortable. There are indeed work that Walt and I have done that is very, very specialized; surface water modeling. Sometimes we feel there are national consultants that don't have an office here in Suffolk county that we have the ability to go to. Only under the auspices of a federal grant do we have that license. And sometimes when you have a discreet work element that requires that kind of very sophisticated specialized expertise, I would say maybe we need a waiver. In this case, you have the benefits of both the local firm overseeing the project who invited and included in their work team, national expertise. So you have to be careful. Oftentimes, we hear it even on very major specialized project that, come on, Suffolk County Health Department, whoever they are, are probably going to pick a local firm anyway. So that dampens the enthusiasm unless it's a very scientific project to begin with. So you need to balance that at

all times, Mike.

LEG. CARACCIOLO:

The individuals you mentioned from Rutgers, Rhode Island, Texas are they available to us as subcontractors?

MR. MINEI:

I guess we could. But again, what you are implying is we --

LEG. CARACCIOLO:

Why can't we build our own team, I think is the question.

MR. MINEI:

Well, the idea is at some point, we're go to have to divest some of Walter's time as project manager, an enormous work assignment that's going to be, to now running the day-to-day operations of the project. That's entirely a different character of work that we're talking about. I mean, the day-to-day management to overseeing the project. As extremely competent as Walt it, that is a big time commitment we don't have.

LEG. CARACCIOLO:

That's an additional staff requirement.

MR. MINEI:

Yeah. And it's not entry-level staff. This idea of go out and hire -- you're talking about going out and hiring a manager who has the expertise in overseeing comprehensive multifaceted projects. They don't come cheaply.

MR. DAWYDIAK:

As well as senior staff to supervise field operations and do a lot of the analysis. Again, I mean, those half dozen people, I would venture a guess, it would be well in excess of half a million dollars, probably closer to a million if you added up to the middle to high level salaries that you would need to bring them on board for a three year period. So you do have a mark up here by virtue of the fact that Cashin is getting 1.4, but it would just be logistically impossible for us to bring those sorts of people on board within a two to three year time frame.

LEG. CARACCIOLO:

Okay. Thank you.

LEG. VILORIA-FISHER:

As far as Legislator Caracciolo's remarks, it was I early on who had said that I was concerned, because I had did seen the name Cashin when I did research on contributors, the highest contributors. And

unfortunately, when somebody's a very high level political contributor, their name is going to jump up at you, and Cashin is one of those. And it certainly raised a red flag for me.

MR. MINEI:

Well, I can assure everybody on this committee and all the people of Suffolk County, we took the responsibility of reviewing these proposals extremely seriously. We were the ones, Walt and I who

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inserted our credibility into this whole process. We are asked when all of the controversy about Vector Control came up, what could be done. And we outlined some of the alternatives. One was do a GEIS, and we would gladly sit back in a passive review role. But we also said we have experience doing multifaceted comprehensive environmental programs, and that is an option we would propose to the County.

And I can tell you that regardless of whatever your other concerns are, we went to the bios of the major staff, and in the cases of both firms, and we were favorably impressed with both, what it came down to quite honestly in my estimation was the Camp, Dresser and McKee proposal had an engineer that we're very placed with her work with regard to groundwater modeling and water quality. When Cashin proposes a Greg Green with the favorable response on his submerged aquatic vegetation and his wetlands work in Suffolk County, it tends to set points of delineation between two high quality proposals. So that's what we looked at. I hear what you're saying, Legislator Vilorio-Fisher. I'm sensitive to those issues. But I can also assure you that did not come into the review certainly of the staff of the Health Department, and it never will, not as long as I'm around here. And it was a high quality proposal.

LEG. VILORIA-FISHER:

Thank you.

LEG. FIELDS:

I think some of what we've been hearing today is just the fact that there is a huge amount of money attached to this. And I think maybe they are looking at could we do it on our own if we were to go out and hire the people? And if we were to hire the people, we might be able to pass a resolution not to deal with the Local Preference, we've done that I think with trying to purchase medication in Suffolk County at a lesser rate. But I think I'm also concerned with the fact that it has a high amount of money attached to it, but we're -- while we maybe cut down on some of that, we're then turning around and putting in resolutions for quarter percent money to do the same thing. So it's really basically the same thing. You either pay for it with the Environmental Impact Study or you take away some of the money and you

still pay for it with quarter percent. So I think -- you know, I guess some of the questions are is it possible to look at it and say, can we do it for less money and do it efficiently? And what is Cashin actually going to do for the money? What are they actually going to provide to this County?

MR. MINEI:

I'll answer the first part, but I'll ask Walt. You're sort of wearing me down. But the idea was I think the point you just raised about may be extracting them out of the overall work plan and then finding them come in to the quarter percent speaks to the issue that it's appropriate for these project on wetlands management, water quality, stormwater runoff control, that they are indeed relevant. The component part of this project make up an overall comprehensive plan that we've said from the outset is appropriate for quarter percent. So I think you have addressed that issue. But I'm going to ask Walt once again to go through the Cashin-Cameron what we're getting for the money issue.

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MR. DAWYDIAK:

Could you be a little more specific. Are you wondering what they're physically going to do? What our products are going to be in terms of utility to us? All of that?

LEG. FIELDS:

I think everybody wants to know that.

MR. DAWYDIAK:

I can speak generally first, then more specifically. That's probably better then going through each task. At the end of day here, what they're going to do is work with each and every advisory committee and with our agencies as well as their large team of experts and develop an approach which protects public health, minimizes risk to public health while maximizing environmental benefit, environmental quality. That means a whole bunch of things.

It means bringing up-to-date and modernizing the way that Vector Control does business; all their ditches have to be digital, all their spray routes have to be digital, their equipment on the trucks, automatic on-offs in no-spray zones. All these hoards of stuff that hasn't really been looked at systematically, that's a major component of the work. The risk assessment piece is a monumental undertaking in terms of how many people are likely to get sick or die from cancer or mosquito transmitted diseases under various different scenarios. That's just not a trivial question that requires a lot of biological and medical expertise as well as a lot of field work. Those questions will be answered if we use alternative chemicals, alternative

application techniques, alternative setbacks. They will give us an idea of how many people are likely to get sick or die from various diseases as well as what the ancillary impacts to the environment will be.

The most significant change, at least in my view and probably our view of what they are going to be giving us, is a blueprint for how to manage the greater than 10,000 acres of tidal wetlands that are out there that have been fundamentally altered for 70 to 80 years. That there is no greater environmental impact in Suffolk County, I think most people have to agree then the wide spread ditching of greater than 90% of all of these wetlands. This consultant team will work to develop models and select sites, approximately 25 sites, and let characterize the vegetation, hydrology, biotic communities, water quality related impact, avian communities. They're going to set a baseline, they're going to look at how different ditching, open marsh water management, reverse inactivities are going to affect these wetlands as well as affect public health in terms of mosquito provocation and disease risk and what will likely happen.

So we're going to have two set of products on that end. We're going to have a set of detailed plans for these 25 or so marshes in terms of leave them alone, let the ditches revert, keep ditching, do open marsh water management. And we're also going to have a more general handbook on open marsh water management habitat restoration and wetlands activities, which will be applicable over time to all of these 10,000 plus acres of tidal wetlands that have been affected. We're not saying that all these 10,000 acres are going to be dealt

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with in two years, but there will be a timeline, an approach, a cost and a dynamic management structure, which continues. So there will be goals. We don't know what those are yet. It may take five years, it may take 25 years to address all of these areas, but this is the ecological and wetlands product that will benefit the wetlands in the County from our perspective.

LEG. FIELDS:

And approximately -- have they shared with you how many -- how many personnel that they would be giving to this project?

MR. DAWYDIK:

Yeah. We do have a chart showing all the different positions. It's on the order of about a dozen different people, and none of them are working 100%. So it's probably about six, seven full time staff years is my estimate over that two and a half years.

LEG. FIELDS:

That's not including the consultants that they have hired?

MR. DAWYDIAK:

Not including the consultant that they have hired.

LEG. FIELDS:

Thank you.

MR. MINEI:

Just one quick insertion here. The point as to why can't we have this expertise locally, in essence, we have sort of our extended family of SUNY Stony Brook working on this too, and we're just fortunate that we have the expertise of Steve Goodbred, Bruce Brownawell, his wife, Anne McElroy working on these things. And if anyone says, oh, great you have chemists that probably have done work for you, I think if anyone's followed the lobster die-off saga, you know that Dr. Brownawell is not hired because he says what he's told to say. He does very -- again, very sophisticated minute level detection of these kinds of toxic chemicals. And I think again, it speaks to the credibility of his work team, that you have someone that ordinarily you would not think would come to the assistance of a county operation. Keep in mind that we are indeed enhancing local expertise here by incorporating Stony Brook people as well.

LEG. CARACCILOLO:

Vito, could you just quickly go through the categories of funding beginning with the -- well, we pretty much know where the \$2.5 million is, it's delineated here in the handout. But one category that is not is the CAC budget. So the \$100,00 for the CAC.

MR. MINEI:

I'm going to ask Walt to give you the details again, Mike, okay?

MR. DAWYDIAK:

You want to know exactly what that \$100,000 will be used for? We still have not gotten a final budget from the CAC, which has been approved by the Steering Committee. We don't have money for them yet, so it hasn't been particularly urgent. But it's a whole bunch of

different activities from developing web pages, assisting and disseminating educational material, outreach to get more people involved in the CAC in this program. They're talking about citizens action projects. The citizens might be able to take part in it. What they want to do for example is go to a watershed and get people to put up bat boxes to see if bats can help abate mosquitos. And we haven't had out consultant look into that to see whether that's feasible, but a portion of this budget would be set aside for citizens action

projects, so between web pages, printed material, outreach. They're talking about putting together a workshop. We have a small a peer review budget, but they'd like to be involved in bringing together their own peer reviewers and experts to have the workshop kicking this off as well. So all those ideas are on the table.

LEG. CARACCILOLO:

Speaking of those ideas, which of those ideas has actually proven effective in combatting disease from mosquitos? You know, alternative methods I'm talking about. You mentioned bat boxes. We have heard a variety of different proposals by environmentalists and others. Are any time tested and proven to be effective, long-term solutions?

MR. DAWYDIK:

I think Vector Control on an annual basis revisits what they believe to be the state of the art. And if any of these things were lower impact and effective, they probably would have implemented the mechanical devices like mosquito magnets and mosquito {deletes} are effective, but they are expensive and they only treat a very small area. Garlic oil is reportedly effective, and they're looking into that as a potential control measure. Other than that, again, I don't pretend to be a mosquito control expert. My background, as Vito's is, is very similar in terms of environmental planning and management studies and water quality. So this is something that we hope that our consultant can shed some light on. And my guess is that innovative measures will likely be more promising than things that have been out there that we just haven't recognized that would have solved our problems.

LEG. CARACCILOLO:

Okay. And specifically, which consultant will be tasked with proposing alternatives?

MR. DAWYDIK:

In terms of mosquito control, Parsons and Crans are the guys with the entomological expertise. We have our own entomologists in the Health Department that we would work with, Scott Campbell. And the focal point so to speak would be Cashin and Cameron pulling all that information together, analyzing it, reporting on it and going back and forward with the Health Department and the Steering Committee. So it would be a collaborative effort.

LEG. CARACCILOLO:

And these two consultants, I'm talking about coming through Cashin and Cameron, they have experience and knowledge of alternatives and how effective they've been?

MR. DAWYDIAK:
That's their business.

MR. MINEI:
Especially Parsons. While he's Texas, his colleagues and a lot of his background is in Gulf States, and I believe that Florida has used mechanical trapping. Again, as Walt indicated, unlimited basis. On the Gulf Coast of Florida, which they refer to as the mosquito of coast of Florida, they do not do ditching, but they do mow down wetlands, and they do do some trapping that apparently has been successful on a neighborhood basis. Part of the concern here in Suffolk, again, just think of the geography is wide spread utilization of what might turn out to be very expensive trapping techniques.

LEG. CARACCILO:
Thank you.

LEG. FIELDS:
I think I have two questions. You talked, Walter, before about some of the work that Cameron and Cashin where going to do. And yet it seems that on the second page -- no, the third page of the status report, I guess this is called, it seems that they're doing the same -- you are doing the same thing, Suffolk County Health Department, collecting baseline information.

MR. DAWYDIAK:
What we're doing is primarily field oriented. We're going to be measuring dry deposition, what deposits in pans where there is a spray event, we're looking at groundwater data with piezometers, well, groundwater inflow, ultrasonic measurement devices, we'll be extracting from sediments, we'll be looking at surface water quality. All of those items are tasked with the Health Department. And this is the reason in large part that we needed one additional coordinator. And again, there's a substantial diversion of resources that are already being used for estuary programs by virtue of federal funding. We do have some staff that do this sort of work, and by focusing them on this effort, we've achieved an economy of scale.

LEG. FIELDS:
Then the other question I have ask is in the first budget that you proposed there was open marsh water management, how much was that for?

MR. DAWYDIAK:
I'm not sure what you mean by first budget, the \$2.5 million initial effort?

LEG. FIELDS:
The original one where you pulled it out. The original was the consultant fees, I guess. You pulled it out of the first page here where you talk about Ducks Unlimited demonstration projects, open

marsh water management avian study.

MR. DAWYDIAK:

I'm not sure which page it is, but I think I have an answer.

Initially what we contemplated was that Peconic Estuaries Program grant os \$75,000, which was earmarked for open marsh water management

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project could fund the actual field work. We've been trying to appropriate that monies toward this, and we're told that we're not allowed to sole source it, we may need to RFP. So now we need to go through the waiver mechanism. And kind of bottom line is that \$75,000 isn't available right now, but that was initially the initial vision that would be enough to cover an OMWAM Project. And that OMWAM has grown is a little in size and scale with the Werthheim Refuge, Goose Creek and possibly other areas in the Peconic. So we're still working for grant opportunities for those.

LEG. FIELDS:

No, I think that my question was that you had designated a certain amount of money to be used in this three million or \$4 million originally.

MR. DAWYDIAK:

I'll have that answer in just one minute.

LEG. FIELDS:

And Cornell was also listed as doing -- you had two different entities doing open marsh water management.

MR. DAWYDIAK:

The initial estimate that was provided Cornell Cooperative Extension and Ducks Unlimited was a total of \$190,000 for both agencies to do multiple OMWAM projects.

LEG. FIELDS:

How much was each separately?

MR. DAWYDIAK:

It was roughly 50/50. I don't have the exact number in front of me, but they were on the order of 90,000 I believe were both requests.

LEG. FIELDS:

So now you are saying the original one was 190,000, yet on page three you have open marsh water management, Ducks Unlimited and Cornell, 300,000. It's gone from 190 to 300,000.

MR. DAWYDIAK:

A part of that \$300,000 number actually has to do with expertise of Goodbred of SUNY Stony Brook who is one of the principle investigators contracted for his wetlands expertise working for the prime consultant, Cashin and Cameron. In fact, we recently had a meeting with Ducks Unlimited and Greg {Kessler} just last week, and the whole group of acknowledged that we needed an academic with significant wetlands expertise essentially to shepherd all the literature review data, assist in the design, the long term monitoring, the reporting, all of those elements. So I don't know if it's exactly 100,000, again, I'm just rounding off numbers. But the difference between two and 300,000 is probably attributable mostly to Goodbred, Cashin and Cameron.

LEG. FIELDS:

But wasn't Goodbred already being paying out of Cashin and Cameron for consultant fees? Now you're adding more.

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MR. DAWYDIAK:

We're adding more because he's been tasked with much more significant demonstration project work, to design multiple projects in multiple areas that have grown in size, scale and complexity.

LEG. FIELDS:

What would he be doing with the first amount of money that comes out Cashin and Cameron? In other words, they are giving him a separate amount to do what? And then you are looking to give him another amount by expanding this -- it's look like maybe \$200,000 more.

MR. DAWYDIAK:

Right. Under the -- under the current proposed budget without the OMWAM expansion, Goodbred is in for \$101,000. He would be a cross cutting presence in virtually all of the wetland-related tasks from agency interviews, literature review, impact assessment, risk assessment, biological monitoring. There is a significant amount of vegetation monitoring that needs to occur with these 25 primary study areas that I had mentioned. And those are the sorts of activities; developing a management plan for the 25 specific areas, as well as an approach for the wetlands of the County as a whole. There's a lot of other work, coastal geology is another area, sediment decreation patterns, water and sediment movement in and around wetlands. There's a lot of theories about what's impacting wetlands, whether it's just water movement, rising sea level, sediment starvation or movement patterns. These are the sorts of areas his an expert in.

LEG. FIELDS:

I guess I'm just trying to figure out why he's getting paid twice.

MR. DAWYDIAK:

As of right now the proposal on the table is to pay him once. And when these wetlands programs get underway, a separate set aside would need to be made in order to have to have him be a principle investigator overseeing the specific multiple projects. Right now the wetlands projects don't have funding, and we hope to pull off multiple wetlands demonstrations projects, we're planning for them as we speak. But when they get underway, when we have a funding commitment for them, that's when he comes on board as well as the other folks from Cashin to help design, report, monitor everything else that they'll be doing.

LEG. FIELDS:

I'd be interested in seeing exactly what it is that Cornell is going to do written out, the amount of money that they are proposing.

MR. DAWYDIAK:

We have a general proposal, we'd be happy to share with you, but it's not very specific at this point.

LEG. FIELDS:

Why wouldn't it be specific.

MR. DAWYDIAK:

I can't speak for that.

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LEG. FIELDS:

So I'd be interested in seeing that, the one that Ducks Unlimited is proposing and the amount that doctor -- what's his name, Goodbred?

MR. DAWYDIAK:

Goodbred, Cashin and Cameron. It's a group effort, but I believe that the majority of it would be --

LEG. FIELDS:

You know, in a line item. Like, what are they providing and exactly what are they doing and where are they doing it?

MR. DAWYDIAK:

Okay. But keep in mind, that's not what's before you today to vote on.

LEG. FIELDS:

No, I know. But it is before us today to vote on Dr. Goodbred being paid. That's before us, Dr. Goodbred. That's why I'm concerned.

LEG. GULDI:

Actually, I've been -- I want to back up. Hold the phone a minute. What we're talking about here is Vector Control. The way we got here is Vector Control, the vast bulk of whom's activities has nothing to do with vectors, but is nuisance mosquito spraying, has been cutting up marshes and spraying various forms of icides, poisons, for years. Ultimately, some of us felt that you couldn't continue to neg deck that in compliance with SEQRA. The question really comes down to SEQRA compliance. And, you know, the simple question is is cutting up wetlands and spraying poisons on them a good thing or a bad thing? We now have a multi million dollar complex state of the art study to involve a bunch of academicians who are really going to go outside of the scope of the existing knowledge of the field of Vector Control and it's impact on the environment. My question, though, is -- tell me -- and what troubles me is the sense that we're going after -- we're going to be swatting mosquitos with a canon by using this approach. And what I really want to know is why you -- you've come up with this wonderful detailed model to go forward with it, why it's essential to go that far? And why can't we go with a simple solution to this simple of questions perhaps millions of dollars less? Part of the reason for my question is it's been my experience in the ten years that I've been here that every time we as a County have decided to go cutting edge and into the badal level of program, it's been a disaster for us and an expensive disaster. So, you know, the fundamental question is why do we need this complex and this academic an approach and solution to the fundamental simple question, especially given that the vast bulk of our activity has nothing to do with vectors?

MR. MINEI:

I'll take a crack here.

LEG. GULDI:

I got to tell you, Vito, before you start, every time Walter talks, I get closer to voting for this. And so far every time I've heard you talk, I get further from it.

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MR. MINEI:

Okay. I'll let Walter speak. Sounds like he's more impressed with you, Walt.

MR. DAWYDIAK:

Things are not going to change unless we undertake this study. The status of open marsh water management is it's just been dead for more years than I want to count. We got this Peconic grant around 1998, and we've trying to get this off the ground with DEC. They are finally coming to meetings, they are coming to Steering Committees, they're offering to help with preplanning, and they're at the table engaged with us. So I think there's going to be a fundamental change

in the way the wetlands are managed that won't otherwise occur. The other thing is that if we don't do this study, what's going wind up happening is we're going go to have minimal scaled back annual plans of work, and there's going to be adulticiding in the summer to respond to whatever you consider the mosquito situation to be, because diseases are going to crop up again. And without information to the contrary, the thinking is it poses a public health threat. And there's going to be more adulticiding, there may be emergency water management. And in an uncontrolled unplanned setting like that, this is not what we want for our environment or our residents.

MR. MINEI:

I would have said that.

LEG. GULDI:

I was right, Vito. All right. There is -- is there any simpler measure we can take in the interim to avoid inventing the wheel ourselves, do we have -- or why do we have to bite that bullet? And is this the best way to do it?

MR. DAWYDIAK:

The only simpler approach that we can see is to do a superficial GEIS for two to 2.5 million, which nobody's going to be happy with. Ask New York City and Westchester.

LEG. GULDI:

By comparison, it is superficial. But one of the things that you did point out is that one of the consultants comes out of Nassau Vector Control, isn't that kind of a -- do they bring -- how do they bring a completely independent perspective to the process? Or do they?

MR. MINEI:

Well, that person doesn't do the evaluation of other Vector Control programs. Parsons and Crans are the ones to look at northeast regional approaches, nationwide approaches to Vector Control. And all I was saying is we have as part of the work team the former Nassau County Director. That didn't play well, so I wouldn't have that. But there will be a legitimate question; did you look at what Nassau County did? Did you look what New York City did? Did you evaluate what Westchester did? And the answer will be a resounding yes. But also, the idea was we brought a national perspective to evaluate all that and give us their recommendation. I don't think he directly oversaw Vector Control anyway. He was Public Works. That's like saying, does Charlie Bartha run Vector Control?

LEG. GULDI:

I'll like make it a point to tell Charlie you brought up the question.

CHAIRMAN BISHOP:

Budget Review, how much is in the quarter cent surface water, water quality protection component?

MR. DAWYDIAK:

I have answer to Legislator Fields while they're looking. Her question about the Goodbred budget. Unfortunately, she stepped out, but I'll put it on the record and I'll bring it to her attention also. On pages seven to eight of that package that we mailed to the committee, it specifies task by task in summary form what Goodbred is doing for his \$101,000. So if there are question above and beyond that, we'd be happy to field them for Legislator Fields.

CHAIRMAN BISHOP:

Let me ask this. At the end of this process -- while they're looking for the information -- what will we have as compared to what Nassau County has?

MR. DAWYDIAK:

We will have direction in a proactive environmentally beneficial program, which is sustainable over time to improve our wetlands and minimize pesticides exposure to our residents, that's kind of the short answer. After spending all the money in New York City and in Westchester, they said, gees, these chemicals seemed to be used for their intended use, the literature has suggested they're probably safe, we don't see any undue risk, keep a 100 foot setback and give people warning, and your program will be okay. Well, that's where we are to start with, we already do that stuff.

CHAIRMAN BISHOP:

The likely outcome of this process is it to be a request for more money to implement what has been gained, the knowledge, that has been gained through the process? In other words, is this going to lead to, you know, an even larger request to use this fund to address the issue?

MR. MINEI:

I think that's a distinct possibility. That was the whole point of the rational that this management plan leads to implementation. Implementation often implies to most people that you are talking about taking action.

CHAIRMAN BISHOP:

See, I thought at one point we were buying implementation as well. That's how I understood it.

MR. MINEI:

Well, some of the OMWAM work hopefully will be in place. The open marsh water management work will be place if we do these pilot

studies. Those remain, but -- so you are buying those, you buying those pilot studies.

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CHAIRMAN BISHOP:

Do you think that stormwater runoff or Vector Control operations is a great threat to the estuary systems that surround the County?

MR. MINEI:

It depends on what issue you are talking about. With regard to wetlands impacts, Walt said that probably no other undertaking in Suffolk County has affected the long term health of the wetlands and Vector Control. When you talk about closed shellfishing beds in Suffolk County, stormwater runoff by far is the major source. We have been documenting that since the 208 days back in the late '70s. It's anywhere from 90 to 95%.

CHAIRMAN BISHOP:

208 days, as though that has meaning today.

MR. MINEI:

Is it does for us planners who have been around more than 25 years. In any event --

CHAIRMAN BISHOP:

Very discreet.

MR. MINEI:

Those who have learned from the hand, know that it has a meaning. But the idea is it depends on the issue.

LEG. GULDI:

The record should reflect that Jim Bagg has clearly been enjoying the is discussion far to much.

MR. DAWYDIAK:

If I could just add on one postscript to Vito's and comments in terms of implementation funding. A lot of the implementation that happens, happens at the Vector Control operational level. Records which are not digitized will become digitized, and part of upgrading the operations will be done. And in terms of the operating expenses, you know, we don't envision a huge long term sync of new things happening.

CHAIRMAN BISHOP:

Here's my -- the point of the last question that I asked. If you speak to our constituents, I think the hope is that the County will use this quarter cent fund to bring health back to the marine systems on Long Island. And it's a limited fund, obviously. And this

initiative is taking a large chunk of it, and if it's anticipated that it's going to ask for even more when it's completed, the question becomes weighing this initiative verse the other contemplated initiatives, in terms of stormwater abatement and so on. Which will have the greatest impact on bringing back the clams and the fishies and making, you know, making Long Island's marine environment healthy again or healthier?

MR. MINEI:

Well, a lot of those are tied. We keep getting a question, gee, why don't you just stop what Vector Control has done for 60, 70 years and let the wetlands revert to what they were pre 1930s? That's obviously

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an impossibility for a number of reasons. The most profound is that the land developed and stormwater management practices over the years -- so when you say, gee, you do either Vector Control or you do stormwater, actually in many instances, they will be compatible activities, because a lot of the stormwater that's directed to the wetlands is what invited the incursion of phragmites, a freshwater dependent vegetation. It's also what's brought in a lot of the bacterial aid in stormwater runoff. So this OMWAM and other wetlands management will also automatically entail some stormwater management in that sum, I would say a very significant stormwater. So when you say you'll making decisions either stormwater or Vector Control, I think in many cases they will be hand in hand.

MR. DAWYDIAK:

A lot of these open marsh water management projects are relatively cheap compared to what you need to do to fix stormwater. I mean, you are fixing major areas of ecology and marsh on the order of -- 30,000 is what Ducks Unlimited requested for the entire Wertheim Reserve.

CHAIRMAN BISHOP:

Buy here in Western Suffolk, that's our primary issue, stormwater runoff as compared to wetlands. It's a different perspective depending on where you are looking from.

MR. DAWYDIAK:

If I could just finish my last point. With the Peconic Program, we've received well over ten million in state and federal funds to implement the plans. So Legislator Bishop's question about, gees, is this going to be a continual accounting expense, our hope is that by engaging the state and federal government in this management plan process and having them buy into a along term plan, we'll continue to tap into these implementation funds. Without the plan, we don't really have an opportunity for that.

LEG. CARACCILOLO:

Vito, how would you characterize the necessity of approving this proposal given the fact that, I'm not certain, may be Counsel or you can inform the committee as to the status of the lawsuit that has or was contemplated or is pending by the Peconic Baykeeper?

MR. MINEI:

I'll ask my legal counsel as well as my chief engineer.

LEG. CARACCILOLO:

Paul.

MR. SABATINO:

The first lawsuit was dismissed. The second lawsuit, I never saw a copy of, I only heard about it anecdotally. So I'm not A) familiar with the content of the second lawsuit, and B) I don't know where it is because we never -- we were never served in the Legislature. We were served with the first lawsuit, that one I did see. In fact, we were involved in some of the analysis, but the second one, I just don't know.

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LEG. CARACCILOLO:

Walter, do you have any information?

MR. DAWYDIAK:

Yeah, I do, but I'm just not going to speak to the status of existing litigation, because in the existing.

LEG. CARACCILOLO:

Okay. In the context then of this resolution, in the absence of the Legislature moving forward with this proposal or some other, does it not put us in a position where it makes it's more difficult to defend, as Legislator Guldi pointed out, the past practice of applying, you know, various -- I won't use the words he used -- but we know the types of products that have been used and the ditching and so forth, does that make us more vulnerable to lawsuits by not exploring alternatives, by not undertaking this study, by not showing and demonstrating good faith that we perhaps recognize that there are today alternatives that we would like to consider and pursue that would have a lesser impact on the environment?

MR. DAWYDIAK:

Well, we've already been sued a couple of times, and we have no plans. So I'll leave it to you to draw your own conclusions.

LEG. CARACCILOLO:

So what you're saying is that the past practice has not demonstrated

in a court of law, at least, the County has done anything improper, adverse, but going forward. I mean, don't we have a duty and an obligation, as Legislator Bishop pointed out, to provide assurance, to not only bring back the marine life, but provide assurance to our constituents that we can keep this nuisance problem at bay in becoming a health risk by pursuing and looking at the latest science to see if there are alternative means by which to combat mosquito infestations in certain parts of the County, and I guess, most parts of the County, Vito?

MR. MINEI:

I think you articulated it very well. I mean, that's been the whole perspective from the Health Department. How do we balance public health protection with preservation of environmental quality? And you know, we have our Public Health Division that's very concerned about what it's gleaned from, you know, the media that gee, it looks like we're going to abandon our Vector Control Program entirely when they're concerned about communicable diseases. Yes, we do have to investigate the health implications of the spraying of pesticides, but I thought you worded it very well. I mean, we will continue to be exposed to challenges, legal or just in the public's eye with regard to how we do business with regard to Vector Control.

LEG. CARACCILO:

Thank you.

CHAIRMAN BISHOP:

Let's conclude our discussion. Is that -- you want that to be your last statement on this issue?

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MR. MINEI:

Fine with me.

CHAIRMAN BISHOP:

Okay. Very well. Thank you. Appreciate it. I'm going to guess officially that there's 17 million in that program. My official guess. It's like guess the check.

MR. CLANCY:

We're waiting for a definite answer on that, but I did look it up and see approximately 17 million.

MR. MINEI:

If I could just add this. I mean, it's been estimated that it's six million a year for 13 years. So you are talking between 75 and \$80 million.

CHAIRMAN BISHOP:

I think it's seven million.

MR. MINEI:

Then closer to 100 million. That was the first estimate I heard, we're close \$100 million. I've heard them downplay it a little bit.

CHAIRMAN BISHOP:

It's 11 and a quarter percent of a quarter penny. I think a quarter penny is some excess of a 60 million right now.

CHAIRMAN BISHOP:

Okay. To the agenda. Let's take up some other controversial issue. No more cards. What was your title in that banana republic, Bermuda?

DIRECTOR ISLES:

Deputy Director, actually, and it was not a banana republic. The Queen would be offended. Actually, today's a holiday there. It's the Queen's birthday.

CHAIRMAN BISHOP:

Happy Queen's birthday. How it is celebrated?

DIRECTOR ISLES:

Everything shuts down, and they have parades.

CHAIRMAN BISHOP:

Wonderful. All right. You ready for the agenda?

DIRECTOR ISLES:

If I could, Mr. Chairman, I just wanted to make one brief little report on components of the Real Estate Acquisition Program for two minutes. Back in April, I had sent to the committee a memorandum indicated the number of rejected acquisitions that had come through. We want to report to you that that's continuing, it's certainly not a surprise in the sense that there are always situations where buyers choose not to proceed with the county acquisition and walk away from the deal. We're just noticing that's happening more and more. We've had a couple of recent cases that Christine Costigan can speak of a

little bit more if you would like to, but fundamentally, there's two things were' finding. Number one, the normal situations of buyers saying, I'd rather sell it somebody else or not sell it and walk away. The other is that 712 has done a lot to help us in the acquisition process, providing directions from the Legislature and so forth. However, the other side of that for you to be aware of is that we're in situations that we're within the two appraisals of an acquisition.

But due to the fact that we're limited to the mean, and you have the authority to go 10% above the mean, we still can't do acquisitions. So we've had a number of recent cases where the seller is offering it for a price that's either at or below the highest appraisal. We can't get there with our program. So I just wanted you to be aware of that.

CHAIRMAN BISHOP:

So there are -- there are enough situations that it's an issue where 10% above the mean doesn't bring you close to what they're -- what the top appraisal is asking for?

DIRECTOR ISLES:

Yes.

CHAIRMAN BISHOP:

So the variations of the appraisals is very wide?

DIRECTOR ISLES:

Yes.

CHAIRMAN BISHOP:

Which just points to a fundamental problem that appraising is not a science.

DIRECTOR ISLES:

We understand why you want to provide this very careful process and so forth, we're not quarreling with that. We just want you to know the other side of it is that we're losing many many acquisitions for various reasons.

CHAIRMAN BISHOP:

Many, many?

DIRECTOR ISLES:

Yes. I think we're at 25 or so now.

CHAIRMAN BISHOP:

From that issue of the two appraisals being --

DIRECTOR ISLES:

Well, that's one part of it. The other part of it, a big part of it, would be they are even above the appraisal. And I think we're making two categories. One, that are within the two appraisals, others that are beyond that.

CHAIRMAN BISHOP:

One is lack of flexibility. The other is just unreasonable, I would say.

DIRECTOR ISLES:

Either lack of flexibility or the fact that they're getting offers that are warranting selling it for a higher price.

CHAIRMAN BISHOP:

All right. How do you feel -- one of the things that I work with the jurisdictions in my Legislative district, that would be the village and town is on condemnations, how do you feel about that approach, the condemnation approach either by the County or other levels of government?

DIRECTOR ISLES:

I don't think we're necessarily suggesting that approach at this point. As an alternative in some very important parcels that perhaps are to be considered, and I know what you've proposed with the one parcel in Lindenhurst, that the amount awarded over what the County determines the value to be would be paid by the village, that certainly makes sense. I think what we're suggesting may be -- you know, 712 was put into effect last year. I think by and large, much of it work fine. Perhaps we would suggest that we consider or you consider some modifications of 712 that wouldn't give the authority to the Director of Real Estate or the Director of Planning, but to the Legislature itself. We're locked in really tight, and I just want you to know that there is an outcome or a consequence to that. And Christine can --

CHAIRMAN BISHOP:

We need two-thirds now to go above -- to even do the 10%; is that correct?

LEG. CARACCILO:

In terms of revising the process, Tom, essentially what you are saying is that market forces have reached a point where we're still in a very hot real estate market, and private entities as well as we know in some cases public entities are outbidding the County based on our appraisals. So that seems to indicate that there is a very substantial variance, as you and I have talked about, in one town between our appraisals and their's. Now, there has to be some rational, some rhyme or reason for that. And, you know, I have my suspicions about what's going on. I can't prove it, if I could, I'd go to the District Attorney. But I think, you know, there are other things going on here. And how do we address that? It's not a level playing field, it's supposed to be.

DIRECTOR ISLES:

I'll just point out that the variations we're seeing aren't just in one town in the County. As we look around the County, sometimes we're right on track, the appraisals are very close, we make the acquisition

and everything's fine. But making the point with you is that there are many cases, approximately two dozen cases this year, whereby we're not making the acquisition, even though we have a willing seller, but they're not willing to accept the price we're offering. We are seeing a large variation, and we don't have the flexibility, and perhaps we shouldn't, that's a policy question on your part, to reach those deals where we're within the higher appraised value.

LEG. CARACCILO:

Can one of the reasons be, you know, we have to be candid about this, the County is not as flexible as perhaps some of the smaller entities, towns, in ordering appraisals, having appraisals completed and offers put on the table? There's probably a time lag for the County because we have so many in the hopper at one time, you like everybody else, are working with the universe of appraisers that are not only working for us, but they're working for public and private entities. So maybe by the time our appraisals are completed, you know, the market has crept up another percent or two or whatever the differences are, are we talking about substantial differences here? I mean, give us the magnitude of what we're really looking at here.

MS. COSTIGAN:

Can I just address your first point first, but I'll get to the second one. Factually speaking, the other jurisdictions do not have quite the same requirements that we do. They do order from the same pool of appraisers, and all of them are working under the same unified standards in terms of use pap. So while we have procedural differences, it shouldn't cause a gap due to time alone. Which isn't to say that there may be some different interpretation in how the appraisals are handled once they come in. I mean, recall that many of the jurisdictions don't review the appraisals, they take them on face value. The -- getting to your magnitude question, we have started and we handed out last week the spread sheet detailing the outstanding planning steps resolutions and what's happened to them. And if you read down them you can see some of the magnitude, but it needs to be even more updated. We were -- I would say like in the last ten offers, half of the them failed because the price the seller wanted was closer to the higher appraisal. And they don't know that there's two. This isn't a case where they look at the higher appraisal and said that's what I want. Recall -- I mean, frankly one of the oddities about 712 is that what it imposes is a mathematical solution to the price. It says the mean is the price. And as you correctly point out, appraisals are not mathematical. I'm not saying they're alchemy, I'm not going as far as you, Mr. Chairman. But they are subject to interpretation. And just a small difference, I mean one appraiser may legitimately and sincerely use one comparable where the other one uses a different comparable or the use a different discount,

slightly different discount factor. Both sincerely will make the appraisals reach different numbers. And we certainly have magnitudes of millions down to tens of different appraisals. If we had the ability to pick between the appraisals, we would of closed five of those last ten deals instead of putting the files in inactive.

LEG. CARACCILOLO:

Which way would you argue, in favor or against the review appraisal process?

MS. COSTIGAN:

I think it should definitely be reviewed. Absolutely. I think we've improved that in we now review them for their technical requirement and compliance with County requirements, not for the number. We are not there to reappraise the appraisal. We're there to make sure that the appraisal addressed all the factors we asked it to address. But having paid for two appraisals, we essentially throw one out in the

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our current -- you know, when we pick the mean, we've thrown up the upper appraisal, we've said it's wrong. So that's where the problem seems to exist.

LEG. CARACCILOLO:

Okay. All right. So we're a little bit rigid in that respect. Have you found that internally that the review appraisers in the 25 cases you have cited or point could have justify something more than the mean in the majority of those, but they too are constrained by the --

MS. COSTIGAN:

Yes and no. We've taken -- we're not asking our reviewers to justify numbers. So whether they could or could not have, I really can't tell you. There are some of them where they made off-hand comments in their reviews that clearly would agree with the higher number.

DIRECTOR ISLES:

But we have had the situation where both appraisals are accepted by appraisal review. In fact, we have that with Duke and our appraiser was here and testified along with the two appraisers. So that situation does happen where they're both acceptable even though they're not assigning a number.

LEG. CARACCILOLO:

And at this time, do you have any -- any specific recommendation or something that we should consider except bringing the problem to our attention?

MS. COSTIGAN:

Well, what we're bringing to you is the fact that, as I say, we would have completed those acquisitions if we had the ability to make an offer between the two appraisals without being limited to the mean.

LEG. CARACCILOLO:

As a rule of thumb, from the time the Legislature approves either a planning -- well, let's stick with planning, because that's the majority clearly of what you have in house right now, from the time we adopt that planning steps resolution until an appraiser is contracted, completes a report review, what's the average time involved with that?

MS. COSTIGAN:

I would say three to six months from the time we have an appraisal in hand, you mean. Excuse me, but I know where you're going because you said before you're worried about the time value of them. We now have the ability to adjust the appraisals to date with the new -- with Bill {Moore} whom you've met in front of the Duke matter. Bill has a procedure now where he can go back to the appraisers and get it revalued to date.

LEG. CARACCILOLO:

Okay. But the concern I would have even though we have that ability is that maybe because of that lapse of time, you know, quarter of a year to half a year, some of these properties may be off the market. We may not be quick enough to meet the needs of the seller.

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MS. COSTIGAN:

I would say that's a definite minority of the situations.

LEG. CARACCILOLO:

Okay. Because as you know, that's been a long standard criticism of those who feel the county does not have the agility it needs to stay in a fast paced market.

MS. COSTIGAN:

Before we go we have and appraise them, we have an indication of interest from the seller. So that means it isn't in contract yet, it isn't ready to be sold yet, and they can't sell to anybody else much faster than three months.

LEG. CARACCILOLO:

Okay. This is an opportune time to maybe bring up the farmland situation on the North Fork. Because as we both know, we have seen where the Town of Riverhead has been we aggressive thanks to an initiative we kicked off over two years ago, and as a result of that, they just about expended all of their available funds. But in doing so, they've now created a benchmark that in some cases is above that

by which our recent appraisals have difficulty meeting. How do we bridge that gap? Tom, you and I have talk about this.

DIRECTOR ISLES:

In terms of bridging the gap, all we can really do is rely on the appraisals that we get or that are guaranteed to us. So they may be putting pressure on the market in terms of the transactions that they're doing. I would gather over time that would be reflected in the appraisal comparable sales that we see. But in terms of directly dealing with it, if they're paying more than we're paying, we're bound by the appraisals, and I wouldn't want it any other way. And I don't think we can -- we don't use the same process that own uses, we really can't speak for how they determine the value of the property. I think eventually when the market starts to cool off a little bit, when they're source of funds is less, perhaps we'd be in a better situation then. But our purpose, of course, is to try to find the fair market value and the number that's truthful and so forth. We have a process that generally works with the exception of when we get between the two appraisals, and that's constraining.

LEG. CARACCILO:

I'm just going to make one request, Mr. Chairman, and that is for the next committee, I imagine the last week in July, Mr. Sabatino?

MR. SABATINO:

Week of the 28th, Monday of the week of 28th.

LEG. CARACCILO:

Both you as the Planning Director and Christine take a look at the recent correspondence I forwarded to you on the Broad Cove property and be prepared to make a full presentation to the committee with regard to that. Thank you.

CHAIRMAN BISHOP:

Okay. Ladies and gentlemen, we're going to agenda beginning on page

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one.

1414. Authorizing planning steps for Greenways Program in connection with acquisition of farmland development rights at Calverton, Town of Riverhead. (CARACCILO)

LEG. CARACCILO:

Motion to approve.

CHAIRMAN BISHOP:

Explanation. This is not on the Omnibus farmland purchase list that

we do?

LEG. CARACCILO:
No.

CHAIRMAN BISHOP:
Why not? This is an individual farmland authorization. Why is this not on the Omnibus ones that we do?

DIRECTOR ISLES:
Well, it certainly could be. I guess Mr. Caracciolo maybe had an interest in starting it now. The Farmland Committee meets again on July 29th, I believe is the date. So if you want, I can put it on for that. Normally, what we do is we, as you said, do an Omnibus and we do it as a single authorization of the Legislature for farmland. That's worked well. It doesn't prevent individual Legislators from coming in on planning steps and then authorization, but most of the farm acquisitions are done in that process of the Farm Committee and then the Legislature for full authorization.

LEG. CARACCILO:
Simply put, the seller here or the property owner contacted my office, I contacted Mr. Aisles. It's a piece of farmland that's been in agricultural use for many, many, many years, and to put it before the committee, I would have no problem with that. When do they meet, Tom?

DIRECTOR ISLES:
I think it's July 29th.

CHAIRMAN BISHOP:
It's all right. We can approve it -- I just don't understand what the --

LEG. CARACCILO:
I just like -- you know, the owner finally has an interest in the County program, and as a result, I thought --

CHAIRMAN BISHOP:
How does a farm become -- come to be considered? I thought, like, we're after preserving all the farmland, or is there a certain farmland that we're not?

LEG. CARACCILO:
No. This is contiguous to the County's farm belt investment in the Calverton area. So I mean, that was one of the considerations I took

into account before sponsoring this.

CHAIRMAN BISHOP:

I don't want a long answer. Is there a farm that we wouldn't consider?

DIRECTOR ISLES:

Yes. We do a ranking of the farms based on the soils, proximity to other County farmland, its viability for agriculture and so forth. So that process is done, presented to the committee, the Farmland Advisory Committee. So we do rank farms.

CHAIRMAN BISHOP:

There are farms east of the Town of Islip that we don't pursue.

DIRECTOR ISLES:

Not a heck of a lot, but technically they could do it that way, yeah.

CHAIRMAN BISHOP:

Motion to approve by Legislator Caracciolo seconded by --

LEG. GULDI:

Second.

LEG. VILORIA-FISHER:

Actually, I thought to be consistent we should table it and let it go to Farmland Advisory Committee, just to be consistent, because that's where I've seen most of the farmland.

LEG. CARACCIOLO:

I don't have a problem with that.

LEG. GULDI:

Can I ask, Tom, would the planning steps be any different if we had to go through the farmland planning?

CHAIRMAN BISHOP:

No.

LEG. GULDI:

Or is the planning steps and the appraisal process the same?

DIRECTOR ISLES:

It's the same.

LEG. GULDI:

Thank you.

DIRECTOR ISLES:

It will watch up is what will happen. So most are done as single step, you know, go to the Farmland Committee, then come to the

Legislature, then we go that way. This would add another step to do the planning steps first, then we would have to come back, of course, for the full authorization. It's your choice.

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LEG. GULDI:

You don't really do any work twice since you are going to the Farmland Committee and coming to the Legislature.

CHAIRMAN BISHOP:

Motion to table by Legislator Vilorio-Fisher.

LEG. FIELDS:

Second.

CHAIRMAN BISHOP:

Seconded by Legislator Fields. All in favor? Opposed? I'm opposed.

LEG. CARACCILO:

Opposed.

LEG. GULDI:

Opposed.

CHAIRMAN BISHOP:

It's 2-3. Motion to approve by Legislator Caracciolo, seconded by Guldi. All in favor? Opposed? 1414 is APPROVED. (VOTE: 5-0-0-1)
(Not present; Legis. Haley)

1437. Amending the 2003 Capital Budget and Program and appropriating funds in connection with the Peconic Bay Estuary Program. (COUNTY EXEC)

LEG. GULDI:

Motion to approve.

CHAIRMAN BISHOP:

Explanation.

LEG. VILORIA-FISHER:

Second.

LEG. FIELDS:

Explanation.

LEG. VILORIA-FISHER:

It's just changing the budget line, isn't it?

MR. SABATINO:

This would basically trade in \$50,000 of planning money for the Peconic Estuary study in exchange for furniture and equipment to be paid from 5-25-5 account. I think the only concern is we would --

CHAIRMAN BISHOP:

Clearly our priority is furniture.

MR. SABATINO:

The only concern is I think we were told at the last full meeting we had exhausted 5-25-5 on the floor of the Legislature, remember that last bill?

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LEG. VILORIA-FISHER:

Yes.

MR. SABATINO:

So the only concern I would have is that \$50,000 may no longer be --

CHAIRMAN BISHOP:

Is this furniture and equipment to allow the Peconic --

LEG. GULDI:

What's the --

MR. SABATINO:

It's a microscope and a digital camera and a work station for printing maps and imagines, that kind of equipment.

LEG. FIELDS:

Where are we going to get the money?

LEG. VILORIA-FISHER:

It's not getting new money, it's just transferring money --

MR. SABATINO:

Trading in planning for --

LEG. VILORIA-FISHER:

It's trading planning money for equipment money.

CHAIRMAN BISHOP:

Okay. Is there a motion?

LEG. CARACCILOLO:

Motion to approve.

CHAIRMAN BISHOP:

Motion to approve by Legislator Caracciolo, seconded by Legislator Vilorio-Fisher. All in favor? Opposed? Abstentions? None. It's APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

MR. SABATINO:

Just get a confirmation by Tuesday that the account hasn't been wiped out, because my recollection on the meeting on last Tuesday was that it was.

1451. Authorizing the County Executive to solicit offers for the sale of development rights in agricultural lands to the County of Suffolk.

LEG. VILORIA-FISHER:

Motion to approve.

CHAIRMAN BISHOP:

We all want to say dutch motion -- dutch auction.

LEG. CARACCILOLO:

Mr. Chairman, let the record reflect that based on conversations I have had with people at Long Island Farm Bureau, they don't really

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believe this is going to be much of an asset, but --

LEG. VILORIA-FISHER:

Why not?

LEG. CARACCILOLO:

But given the fact that it really hasn't been utilized in many, many years. Perhaps now is the time to give it another shot and let's see what happens. I'm going to support it.

LEG. VILORIA-FISHER:

Motion to approve.

CHAIRMAN BISHOP:

Motion to approve by Legislator Van Vilorio-Fisher for the Dutch auction, seconded by Legislator Caracciolo. All in favor? Opposed? 1451 is APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1456. Authorizing acquisition under Greenways Program in connection with acquisition of active parklands at Iron Point Park, Flanders, Town of Southampton. (COUNTY EXEC)

DIRECTOR ISLES:

This is awaiting CEQ at this point.

LEG. GULDI:
Motion to table.

LEG. VILORIA-FISHER:
Second.

CHAIRMAN BISHOP:
Motion to table by Legislator Guldi, seconded by Legislator Fields.
All in favor? Opposed? Tabled (VOTE: 5-0-0-1) (Not present; Legis.
Haley)

1461. Authorizing planning steps for acquisition under Suffolk County
Multifaceted Land Preservation Program. (YMCA property, Town of
Smithtown. (NOWICK)

LEG. VILORIA-FISHER:
Motion.

LEG. CARACCILOLO:
On the --

LEG. VILORIA-FISHER:
It's planning steps.

CHAIRMAN BISHOP:
Yes. I understand. Okay. Thank you.

LEG. VILORIA-FISHER:
All right. Sorry.

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CHAIRMAN BISHOP:
I just want to find out from Mr. Isles what the administration's
perspective on this is.

DIRECTOR ISLES:
This is an existing YMCA located along Edgewood Avenue in the Town of
Smithtown. It consists of a building and parking area on a portion of
the site, approximately one-third of the site. The balance of the
site is open space. I did contact after the last meeting of the
Environment Committee the legislative aide for the sponsor to clarify
exactly what was intended. He indicated to me that it was the
sponsor's intention that this be purchased for open space purposes. I
think there's been some issues in terms of the YMCA in Smithtown going
to the armory and then coming back. He indicated that that might put
this in jeopardy. But his word to me was that it would be open space,
and thus, we ranked it according to that. It ranked 25 out of 110, so

it's just basically on the border line.

CHAIRMAN BISHOP:

I don't understand. There is a structure?

LEG. CARACCILOLO:

It's an existing YMCA.

CHAIRMAN BISHOP:

And that's most -- I mean, a YMCA is a big building, right? And we're buying a big building and calling it open space, and it gets 25?

DIRECTOR ISLES:

That's what I talked to the sponsor's aide about, and I think what they were thinking is that the building could be retained as park building and then would provide access to the open space on the property.

CHAIRMAN BISHOP:

Is there a lot of open space?

DIRECTOR ISLES:

I would guess at this point there's about ten acres of the site is open space. It joins other town open space, but not County open space.

CHAIRMAN BISHOP:

It gets points for being adjacent.

MS. FISCHER:

It's in your packet.

DIRECTOR ISLES:

It's not a strong acquisition, it's not one we're necessarily recommending to you at this point, but those are the facts thus far.

LEG. CARACCILOLO:

Tom, the --

CHAIRMAN BISHOP:

It just would seem to me that of all the uses that government can come up with --

LEG. GULDI:

Motion to table.

CHAIRMAN BISHOP:

Open space would be the least --

LEG. FIELDS:

I will second the motion to table.

CHAIRMAN BISHOP:

Motion to table by Legislators Guldi and Fields. All in favor?

Opposed? We will speak to Legislator Nowick. I mean, affordable housing. TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1464. Making a SEQRA determination in connection with the proposed replacement and construction of a sidewalk on County Road 85 from the vicinity of Lincoln Avenue to the vicinity of Greeley Avenue and on CR 65, Middle Road to Collins Avenue to CR 85, Montauk Highway, Town of Islip. (PRESIDING OFFICER)

LEG. CARACCIOLO:

What is the SEQRA determination?

CHAIRMAN BISHOP:

SEQRA determination is to designate the sidewalk reconstruction Type II.

LEG. GULDI:

Motion.

CHAIRMAN BISHOP:

Because it is upgrade, replacement and rehabilitation with no substantial changes in the existing structure.

LEG. VILORIA-FISHER:

Second.

CHAIRMAN BISHOP:

Okay. Motion by Legislator Guldi, seconded by Legislator Vilorio-Fisher. All in favor? Opposed? 1464 is

APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1465. Making a SEQRA determination in connection with the proposed real estate acquisitions for intersection improvements on CR 80, Montauk Highway at CR 31, Old Riverhead Road, Village of Westhampton Beach. (PRESIDING OFFICER)

LEG. GULDI:

Nevermind. Motion.

LEG. CARACCIOLO:

Second.

CHAIRMAN BISHOP:

What's the SEQRA determination, Type II, I assume? Oh, it's acquisition of property. So it's Type II. Motion by Legislator Guldi, second by Legislator Caracciolo. All in favor? Opposed? APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1466. Making a SEQRA determination in connection with the proposed future planning steps resolution concerning Suffolk County property acquisitions. (PRESIDING OFFICER)

CHAIRMAN BISHOP:

This is to make planning steps resolution automatically Type IIs.

LEG. VILORIA-FISHER:

Right.

CHAIRMAN BISHOP:

So we don't have to have two separate votes. This is a wise resolution, I appreciate its introduction. Motion by Legislator me -- myself, seconded by Legislator Guldi. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1467. Making a SEQRA determination in connection with the proposed reconstruction of the intersection of CR2, Straight Path with Mount Avenue and South 20th Street. Town of Babylon. (PRESIDING OFFICER)

CHAIRMAN BISHOP:

Motion by myself. This is a Type II. Seconded by Legislator Caracciolo. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1472. Authorizing acquisition of land under the new 1/4% Drinking Water Protection in connection with acquisition of open space. (Land at Iron Point, Flanders) (COUNTY EXEC)

LEG. GULDI:

This one is -- however, we do have CEQ on it, right, Mr. Isles?

DIRECTOR ISLES:

We do have CEQ on it. It is associated with the prior active recreation one. We are in active discussions with the Town of Southampton. So although this one is ready to go in the sense that it's 40 acres of open space, which we support, it may be best at this point to table it for one cycle.

LEG. GULDI:

Can I make a suggestion though that especially given the tendency to criticize us for the pace with which we do our acquisitions, we feel

if -- given the -- if we authorize the acquisition, that doesn't preclude you from come coming back to us as the rest of the discussion with respect to the active recreation and county access on the active parcel progresses, does it? (Sic)

DIRECTOR ISLES:

No. That's really the only issue is the access to the rest --

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LEG. GULDI:

I would just think technically from the perspective from our acquisitions is the question, and you know, are you in a better position with this authorized or with it pending and ready for authorization. That's the real question as I see it.

DIRECTOR ISLES:

I will point out this property is owned by the Nature Conservancy and they've been gracious enough to hold it for us to complete the appraisal process and so forth. So we are interested un pursuing this. It's an excellent acquisition opposite Indian Island County Park, two miles of shore front. In that sense it's great.

LEG. GULDI:

Great parcel.

DIRECTOR ISLES:

We just hope that we can have the option if the authorization is done that we retain the right to finalize the access parts of it, those issues that are still outstanding in some manner.

LEG. GULDI:

So -- but you would have that discretion in any event -- in the event that we give you an authorization and you continue ongoing negotiations, you can come back to us.

DIRECTOR ISLES:

Okay.

LEG. GULDI:

So I will -- on that basis, I will make the motion to approve at this time.

CHAIRMAN BISHOP:

I want to know why it's called Iron Point.

LEG. GULDI:

Because of iron grass, which grows prolifically there.

CHAIRMAN BISHOP:
What is iron grass?

LEG. VILORIA-FISHER:
It's tough grass.

LEG. GULDI:
It's a very tough grass. Mr. Bishop, I will explain it this way. I trust my explanation can leave the darkness completely obscured for you. The iron grass is the type of grass that you use in buffering fringe around the duck blind, because it holds up to the ice so well.

LEG. FIELDS:
Right.

CHAIRMAN BISHOP:
Fields understands that, I don't. All right. I think with name like

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Iron Point, it should be home to a football stadium or something like that.

LEG. GULDI:
No. Not here.

MR. SABATINO:
Just a technical point since we jumped over 1456 before. The town board resolution is defective for the previous resolution because it identifies what is active parkland. You might want to get that resolved between now and the next meeting.

LEG. GULDI:
We need that -- we have also other problems with respect --

MR. SABATINO:
I didn't get a chance to bring it up before, because you jumped --

CHAIRMAN BISHOP:
Motion to table.

LEG. GULDI:
No. No. This one is ready. That's the other resolution.

MR. SABATINO:
They're linked, but you can pass this one separately.

LEG. GULDI:
This one is the open space -- this is not the active rec for the open

space area.

CHAIRMAN BISHOP:

This is the actual acquisition, this in not the --

LEG. GULDI:

That's correct.

CHAIRMAN BISHOP:

Okay. I'm sorry. So the ranking was very high, I assume.

LEG. CARACCILOLO:

Forty-five.

MS. FISCHER:

We have it in the packet.

CHAIRMAN BISHOP:

It's amazing. A building with a parking lot gets a 25, but open space on the water gets a 45.

DIRECTOR ISLES:

It shows you the ranking.

CHAIRMAN BISHOP:

It's like the SATs where you get couple of hundred points for writing your name in.

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DIRECTOR ISLES:

This was ranked 45.

LEG. CARACCILOLO:

Tom, when you look at the aerial photograph, I have been there, I know there's a ballfield.

DIRECTOR ISLES:

Right.

LEG. CARACCILOLO:

The area that looks like, for lack of a better description, a waste area, there's no vegetation in the photograph. What is that?

DIRECTOR ISLES:

It's dredge spoil material.

LEG. CARACCILOLO:

Okay. That was not noted, Mr. Chairman. I thing that's a significant

finding.

LEG. VILORIA-FISHER:

Actually, it's in the resolution.

LEG. CARACCILO:

Well, it should have been noted during the presentation. I mean, you're talking about dredge spoil materials, it should be noted.

DIRECTOR ISLES:

Yeah. That's not part of the open space, that's part of the active recreation part of it.

LEG. CARACCILO:

Okay. But as I understand it, the Town of Southampton is moving ahead with this project and may not want to partner with the County, because as I've been told by some of their elected representatives, we have been taking a very long time to respond. And I think that goes back to what you said, Legislator Guldi. And they may go it alone. Also, they may have an issue with participation of County funds and County resident use of property. So this is not a done deal yet.

CHAIRMAN BISHOP:

Which portion are we buying?

LEG. GULDI:

There are two portions, they are two resolutions. The one is the active rec resolution and one map. And the other resolution is -- lot 24, the green parcel, is the --

CHAIRMAN BISHOP:

40.7 acres.

LEG. GULDI:

Right.

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DIRECTOR ISLES:

That's the open space, the 40.7 acres.

CHAIRMAN BISHOP:

That's the one we're discussing now.

LEG. GULDI:

That's the one we're discussing now.

CHAIRMAN BISHOP:

That portion which is on the water and has the slope to you it --

LEG. GULDI:

Slope? You mean the portion of this parcel?

CHAIRMAN BISHOP:

No. Adjacent to it. It's a red pie wedge, how's that?

LEG. GULDI:

Okay.

CHAIRMAN BISHOP:

That's not on the other resolution either, correct? So that's --

DIRECTOR ISLES:

Three of those red lots are part of the other resolution.

LEG. GULDI:

And the rest of them are already in --

DIRECTOR ISLES:

Town of Southampton.

CHAIRMAN BISHOP:

I'm looking at the other resolution, and it looks like two of them are in green and then the third one remains to be red.

LEG. GULDI:

That's already in town ownership and preservation. As is the rest of point, if I'm not mistaken.

DIRECTOR ISLES:

The parcel itself, the whole parcel is 141 acres. We're looking, if the County moves forward, to buy 53 acres. The balance is owned and will remained owned by the Town of Southampton, 90 acres.

CHAIRMAN BISHOP:

That's why we have the program.

LEG. GULDI:

That's, like, why we have the program. That's why I think we should move this at this time.

CHAIRMAN BISHOP:

Motion by Legislator Guldi, I'll second it. All in favor? Opposed?

APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

LEG. GULDI:

But one of the things, Tom, I would urge you to do is point out to the Town of Southampton that even if our CEQ had been concluded that we would have been unable to proceed because of the defects in their Town Board resolution.

1473. To authorize lease of active parkland property at 666 Albin Avenue, West Babylon, Town of Babylon from Our Lady of Grace Roman Catholic Church. (BISHOP)

CHAIRMAN BISHOP:

I'm been advised by the Real Estate Division that the resolution needs to conform with the lease agreement. So the language that will be inserted is 20 to 30 years. I would ask that we make a motion to approve, but note that Counsel will be adjusting the resolution before five o'clock today.

LEG. VILORIA-FISHER:
On the motion.

LEG. GULDI:
I'll second your motion.

LEG. VILORIA-FISHER:
I just have a question about this. We're leasing from the church. So we're going to be paying to lease this and then we're going to allow soccer clubs, etcetera, to use it? How does this work?

CHAIRMAN BISHOP:
Because in the Town of Babylon, it's not overstating it that most of the open space --

LEG. VILORIA-FISHER:
Is gone.

CHAIRMAN BISHOP:
So. It's owned by the church. It's usually future cemetery land. In this case, it's happens to be just owned by a particular parish and it's adjacent to Van Bourgondien Park, which is a county park. And the soccer leagues that use the county park always had their eyes on this adjacent field. And through this Greenways, the County will be leasing it, but the church doesn't -- tends to avoid selling it, but they are willing to engage in long term leasing.

LEG. VILORIA-FISHER:
Okay. And the maintenance and operation would be by the town?

CHAIRMAN BISHOP:
Town of Babylon.

LEG. VILORIA-FISHER:

Town of Babylon. By the way, did the -- the cemetery piece was another piece of active parkland that we did.

CHAIRMAN BISHOP:

That's another one that we did, right.

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LEG. VILORIA-FISHER:

And that's done? Is it up and running and going?

CHAIRMAN BISHOP:

No. They were waiting for the town to come up with the money to make the fields.

LEG. VILORIA-FISHER:

Now, what concern me, David, is that that cemetery piece was a couple of years ago, wasn't it?

CHAIRMAN BISHOP:

No. That was two months ago, I think three months ago.

LEG. VILORIA-FISHER:

But didn't we start talking about it a long time ago.

CHAIRMAN BISHOP:

Yeah. We start talking about a lot of these things years before.

LEG. VILORIA-FISHER:

But what if we start paying to lease this property and the town doesn't put together its piece --

CHAIRMAN BISHOP:

We don't start paying until all the pieces are in place, because the deal isn't final until all the pieces --

LEG. VILORIA-FISHER:

Okay. That was my ultimate question. I didn't want the County to lay out money on a lease and have -- because I know that we ran into NIMBY problems and all sorts of other problems with some of the active parkland. And it would certainly not be in our best interest to spend money on a lease for land that is being used by the church as their backyard.

CHAIRMAN BISHOP:

Correct. That's an issue that is not only with leases, but also in acquisitions, you know, these simple acquisitions where you need to have everything in place before we finally lay out the money. Okay. Motion by myself, seconded by Legislator Guldi. All in favor?

Opposed?

LEG. CARACCILO:
Abstain.

CHAIRMAN BISHOP:
Abstain, Legislator Caracciolo. APPROVED. (VOTE: 4-0-1-1) (Abstention;
Legis. Caracciolo) (Not present; Legis. Haley)

1476. Approving Adopt-A-County Shoreline Program. (COOPER)

CHAIRMAN BISHOP:
Legislator Cooper asked that it be tabled. Motion to table by
Legislator Guldi, seconded by Legislator Vilorio-Fisher.
TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

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1503. Amending the 2003 Capital budget and Program and Appropriating
funds in connection with the Environmental Quality Information
Systems. (COUNTY EXEC)

LEG. GULDI:
Explanation by Counsel.

MR. SABATINO:
This is going to change the method the financing for a purchase of
this data base conversion equipment, which means it will require a
three-quarters vote rather than two-thirds, because you are going from
serial bonds -- I'm sorry, you're going from to pay-as-you-go to
serial bonds.

LEG. GULDI:
What's the equipment?

MR. SABATINO:
Well, it's called a data base conversion program with imaging
equipment, that's the technical title of it.

LEG. GULDI:
How much?

MR. SABATINO:
It's going to be \$375,000 in serial bonds instead of pay-as-you-go.

LEG. GULDI:
Motion to approve.

LEG. VILORIA-FISHER:

Second.

CHAIRMAN BISHOP:

Motion and a second. All in favor? Opposed?

APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1506. Amending the 2003 Capital Budget and Program and appropriating funds for the purchase of equipment for groundwater monitoring and well drilling. (COUNTY EXEC)

LEG. VILORIA-FISHER:

Motion.

LEG. GULDI:

Second.

CHAIRMAN BISHOP:

Motion with great enthusiasm from Legislator Viloría-Fisher, seconded by Legislator Guldi.

MR. SABATINO:

This changes the method of financing again from pay-as-you-go to serial bonds, \$180,000. This will be vehicles and equipment to drill wells and conduct groundwater-type research.

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CHAIRMAN BISHOP:

Is anybody monitoring how much we're shifting into bonding?

MR. SABATINO:

Well, it's ad hoc. Some people have asked that question on the floor of the Legislature. We blew through the pay-as-you-go money on Tuesday night, so know we're into some serious Capital Budget money.

CHAIRMAN BISHOP:

All right. I appreciate that subtle editorial, because I agree with you. Motion by Legislator Fisher -- Viloría-Fisher and seconded by Guldi. All in favor? Opposed? List me as opposed, please.

LEG. CARACCILOLO:

Opposed.

CHAIRMAN BISHOP:

Legislator Caracciolo is opposed as well.

LEG. VILORIA-FISHER:

Can I just say something about this, Paul? Now, this money was already in the Capital budget, wasn't it?

MR. SABATINO:

This would have been pay-as-you-go money. It's in the Capital budget in the sense that it's -- it's there in one form. It's just that instead of paying for it from pay-as-you-go, you're going to pay for it with serial bonds. So it's changing the method of financing. But you're absolutely correct, it's in the budget.

LEG. VILORIA-FISHER:

All right. So, Paul, if we're taking 180,000 out of the pay-as-you-go and putting it in serial bonds, then won't it give us money in pay-as-you-go, and we were concerned about that with a previous resolution.

MR. SABATINO:

No. The problem is that because we've run out of pay-as-you-go, there's no more access to pay-as-you-go.

LEG. VILORIA-FISHER:

But isn't this putting it back in?

MR. SABATINO:

No. No. What this says is that if you do nothing, they'll be no pay-as-you-go money to pay for it. So then either you do nothing or you pay for it in serial bonds.

LEG. VILORIA-FISHER:

Okay. I thought that this had already been earmarked in pay-as-you-go, and that that was considered when we said we ran out of it.

MR. SABATINO:

It was proposed for paper a paper work standpoint, you're absolutely correct. But now that we now longer have any pay-as-you-go money --

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LEG. VILORIA-FISHER:

And that's the reason for shifting it. I see. Okay. Thank you, Paul.

CHAIRMAN BISHOP:

That's three in favor, two against. APPROVED (VOTE: 3-2-0-1) (Opposed; Legis. Bishop and Caracciolo) (Not present; Legis. Haley)

1513. Appropriating funds in connection with County share for participation in the Clean Water/Clean Air Bond Act projects. (CP # 8233. (COUNTY EXEC)

LEG. VILORIA-FISHER:
Motion.

CHAIRMAN BISHOP:
All right. Explanation.

MR. SABATINO:
This actually is a straight appropriation of serial bonds in the amount of 1,015,000 from the existing Capital Budget. So this is not changing the method of financing. This is going to be used for Public Works projects that ultimately become eligible for 50% state funding under one the State Clean Bond Acts. It will be doing things like recharge basins and storm filtration basins. And it lists the projects as being -- well the backup indicates that there's a whole series of them. They are in Huntington Harbor, Mattituck Creek, Terrell's Creek, Shinnecock Bay, Tiana Bay, Mill Dam Road, Ponquogue Avenue and a few other sites.

CHAIRMAN BISHOP:
They have assiduously avoided the Town of Babylon.

MR. SABATINO:
I think maybe you have clean water there.

CHAIRMAN BISHOP:
Maybe.

LEG. GULDI:
Motion to approve.

CHAIRMAN BISHOP:
Motion to approve by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1536. Making a SEQRA determination in connection with the proposed improvements to the Schraeder House, Building C831, Yaphank, Town of Brookhaven. (PRESIDING OFFICER)

LEG. VILORIA-FISHER:
What's the Schraeder House?

CHAIRMAN BISHOP:
What's the Schraeder House, anybody know?

MR. SABATINO:
It's in Yaphank. This is going to put energy efficient doors, windows

and units it. It's Type II, because it's basically and in kind --

LEG. GULDI:
Motion.

CHAIRMAN BISHOP:
Old German house in Yaphank, I guess. All in favor? Opposed?

LEG. VILORIA-FISHER:
How much it is, David? I don't have my resolution.

MR. SABATINO:
SEQRA determination. This is just saying that from an environmental standpoint --

LEG. VILORIA-FISHER:
Okay.

CHAIRMAN BISHOP:
The farm house on the road. Mr. Bagg.

MR. BAGG:
No.

LEG. GULDI:
I was afraid I was going to have to abuse you from the audience the whole meeting.

MR. BAGG:
The next series of SEQRA Resolutions are before you as CEQ Resolutions on the following page. Schraeder House is currently -- was built in 1987 and is next to the farm house. And I believe it is used for -- for boarding students at the County level.

LEG. VILORIA-FISHER:
We board students?

MR. BAGG:
I think it was built by the County for -- not students, but actually I think to house delinquent individuals.

CHAIRMAN BISHOP:
I see. That was a euphemism.

LEG. VILORIA-FISHER:
It wasn't the cultural exchange program.

LEG. GULDI:
Motion.

CHAIRMAN BISHOP:

Motion by Legislator Guldi, second by Legislator Caracciolo. All in favor? Opposed?

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1537. Making a SEQRA determination in connection with the proposed surveillance, control and data acquisition for Suffolk County Sewer Districts. (PRESIDING OFFICER)

CHAIRMAN BISHOP:

Motion to approve by myself, seconded by Legislator Viloría-Fisher. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1538. Making a SEQRA determination in connection with the proposed open space acquisition of property donated by Michael R. Strauss within Mastic/Shirley Conservation area. Town of Brookhaven. (PRESIDING OFFICER)

LEG. VILORIA-FISHER:

I'll make a motion.

LEG. GULDI:

Second.

LEG. VILORIA-FISHER:

Donated property sounds good.

MS. FISCHER:

This is a TRD that we're going to get as a donation, this property in Mastic-Shirley.

CHAIRMAN BISHOP:

What are we giving up?

MS. FISCHER:

A property north of that area, north of the railroad tracks on Montauk Highway.

CHAIRMAN BISHOP:

Motion by Legislator Viloría-Fisher, seconded by Legislator Fields. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1539. Making a SEQRA determination in connection with the proposed open space acquisition of property donated by First Time Design, Inc. within Mastic/Shirley Conservation area. Town of Brookhaven. (PRESIDING OFFICER)

LEG. GULDI:

Same motion, same second.

CHAIRMAN BISHOP:

Same motion, same second, same vote. APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1540. Making a SEQRA determination in connection with the proposed improvements to the Hauppauge Youth Organization Sports Complex Facility, Town of Islip. (PRESIDING OFFICER)

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CHAIRMAN BISHOP:

Explanation.

LEG. VILORIA-FISHER:

Is there a CEQ on this, Jim?

CHAIRMAN BISHOP:

They're expanding the park?

MR. SABATINO:

It's going to construct a bathroom storage building, and it's going to change the configuration of the ballfields.

CHAIRMAN BISHOP:

Motion by myself, seconded by Legislator Guldi. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

Why don't we go to the CEQs. Mr. Bagg is there.

CEQ RESOLUTIONS

38-03. Proposed SEQRA Classification of Legislative Resolutions Laid on the Table on April 29 and May 13, 2003. (Type II Actions)

CHAIRMAN BISHOP:

Motion by myself, seconded by Legislator Guldi. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

MR. SABATINO:

You can skip 39 through 45. What happened was because this committee didn't meet the last time for lack of a quorum, these items just became the ones you just considered.

CHAIRMAN BISHOP:

Excellent. 46, can we skip that since we approved it?

MR. SABATINO:

46 is already incorporated in the resolution you adopted earlier, so that's covered also.

MS. FISCHER:

Can I make a comment? 43-03 was not on the list of resolutions in the beginning.

43-03. Proposed open space acquisition of property donated by the PG Builders Inc, to Suffolk County within Patchogue River County Nature Preserve, Town of Brookhaven. (UNLISTED ACTION, NEGATIVE DECLARATION)

CHAIRMAN BISHOP:

Okay. So that was not considered by CEQ?

MS. FISCHER:

It was, but it's not on your list.

LEG. GULDI:

I make a motion to approve 43-03.

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LEG. VILORIA-FISHER:

Second.

LEG. GULDI:

That takes care of that.

MR. BAGG:

Correct.

CHAIRMAN BISHOP:

Is this an exchange as well?

MS. FISCHER:

Yes. This one's in North Patchogue along Patchogue River.

CHAIRMAN BISHOP:

Okay. Motion by Legislator Viloría-Fisher, seconded by Legislator Fields. All in favor? Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

SENSE RESOLUTIONS

39-2003. Memorializing Resolution requesting State of New York to modify Suffolk County Aquaculture Leasing Program. (GULDI & FIELDS)

LEG. CARACCILO:
Explanation.

LEG. VILORIA-FISHER:
This is a long sense. This is the longest sense resolution I've ever seen.

LEG. GULDI:
No, it's not. The longest -- 38 was longer.

CHAIRMAN BISHOP:
The housing one was longer.

LEG. GULDI:
This is -- implements the recommendations of the committee to amend the state law under which we can do aquaculture leasings in order to facilitate the advancement of aquaculture here in Suffolk County. I think that's the shortest synopsis. Mr. Isles.

CHAIRMAN BISHOP:
What is your goal?

LEG. GULDI:
It asks the state to amend the law to permit us to go forward with a leasing program without --

CHAIRMAN BISHOP:
It's a lease.

LEG. GULDI:
-- without engaging in fiscally expensive mapping. And instead

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permits us to operate on GPS model, etcetera, etcetera, etcetera.

DIRECTOR ISLES:
It has number of modifications --

CHAIRMAN BISHOP:
That's in line with all the committee discussions about expediting it for people like --

DIRECTOR ISLES:
The only other point I'd like to make is we had a couple of technical suggestions we'd like to pass along to you.

CHAIRMAN BISHOP:
George, you want to do the technical suggestions?

DIRECTOR ISLES:

Yeah. We'd like to submit that to you, just a couple of minor things that we'd like --

LEG. GULDI:

Fine. Why don't you -- if we want to act on this Tuesday, they have to be made by five o'clock, it's now 4:15.

DIRECTOR ISLES:

I can give it to you now if you want.

LEG. VILORIA-FISHER:

Can you just put it on the record?

DIRECTOR ISLES:

Well, there were two changes in terms of suggestions. One, in terms of making reference to the Planning Department completing the most recent report. It was done with both the Health Department and Public Works, minor, minor, but just to be fair. Secondly, it makes reference to some of the recommendations in the original aquaculture report, missing a couple of sentences. If you want, we can just give you those replacements.

LEG. GULDI:

Can you take those as a scribner's error, Counsel?

MR. SABATINO:

It doesn't matter. Because of the seven day rule, it doesn't apply to Sense Resolutions.

LEG. GULDI:

Get me your changes, get them to Counsel directly, and I'll still make the motion to approve.

CHAIRMAN BISHOP:

All right. Motion to approve by Legislator Guldi, seconded by Legislator Fields. All in favor? Opposed? 39 was APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

45-2003. Memorializing Resolution requesting the Federal Government to continue to hold responsible parties liable for Methyl Tertiary Butyl Ether clean up costs. (FISHER)

CHAIRMAN BISHOP:

Absolutely. Cosponsor, please. Motion by Legislator Fisher, seconded by Legislator Caracciolo. All in favor? Opposed?

APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

Please list the entire committee as cosponsors.

46-2003. Memorializing Resolution requesting New York State government to fully implement January 1, 2004 commencement of state ban on Methyl Tertiary Butyl Ether. (FISHER)

CHAIRMAN BISHOP:

Same motion, same second, same vote and same request for committee cosponsorship on that as well. APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

Now we go to tabled resolutions on page four.

TABLED RESOLUTIONS

1045. Making a recommendation concerning final scope for the Generic Environment Impact Statement for Suffolk County Vector Control and Wetlands Management Long Term Plan. (PRESIDING OFFICER)

LEG. VILORIA-FISHER:

There's another agenda where it says 1043, so I was just mentioning that to Counsel that there's --

CHAIRMAN BISHOP:

I have the four star corrected copy here.

LEG. VILORIA-FISHER:

And does it say 1045 or 1043?

CHAIRMAN BISHOP:

1045.

LEG. VILORIA-FISHER:

Okay. Mr. Minei had said that we need to table that resolution because -- Vito, would you like to come up and tell us what it needs or would we just like to make a motion to table?

LEG. CARACCILO:

I make a motion to table

CHAIRMAN BISHOP:

Table by Legislator Caracciolo, seconded by myself. All in favor? Opposed? TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

Thank you, Legislator Vioria-Fisher.

1067. Amending the 2003 Operating Budget to transfer funds from the Suffolk County Water Protection Fund (477) Reserve Fund to the Department of Health Services for the preparation of the Suffolk County Vector Control and Wetlands Management Long Term Plan and Environment Impact Statement (EIS) and creating positions in the Department of Health Services and Public Works. (COUNTY EXEC)

LEG. CARACCIOLO:
Motion to approve.

LEG. VILORIA-FISHER:
I'll second the motion to approve.

LEG. CARACCIOLO:
Motion to approve.

CHAIRMAN BISHOP:
Motion by Legislator Caracciolo, second by Legislator Viloría-Fisher. Any other motions? All in favor? Opposed? 1067 sees the light of day. It's APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1112. To establish RFP Committee Process for County Resource Conservation Study. (POSTAL)

LEG. CARACCIOLO:
Explanation.

CHAIRMAN BISHOP:
We've been tabling this. We're waiting for -- we're waiting for further information from the sponsor.

LEG. CARACCIOLO:
Motion to table.

LEG. GULDI:
Second.

CHAIRMAN BISHOP:
Motion to table by Legislator Caracciolo, seconded by Legislator Guldi. TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1149. Adopting Local Law No. -2003, A Charter Law adding Article XXXVII to the Suffolk County Charter to provide a Suffolk County Save Open Space Fund. (FISHER)

CHAIRMAN BISHOP:
Motion to table by Legislator Viloría-Fisher, seconded by myself. It's TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1184. Appropriating Greenways infrastructure improvements fund grant for Miller Place property in the Town of Brookhaven.

CHAIRMAN BISHOP:

Is this ready to go, Counsel, 1184?

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LEG. VILORIA-FISHER:

Lauretta is saying no.

MS. FISCHER:

We don't own the property yet.

LEG. VILORIA-FISHER:

Motion to table.

CHAIRMAN BISHOP:

I guess that was his incentive for us to acquire it. Motion to table by myself, seconded by Legislator Guldi. All in favor? Opposed?

TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1204. Authorizing land acquisition under pay-as-you-go 1/4% Taxpayer Protection Program land of Peat Hole property, Town of Brookhaven. (TOWLE)

DIRECTOR ISLES:

Mr. Chairman, just one point on that one since the resolution was approved earlier on. I would assume then the village and town board resolutions would be submitted to reflect the change in the contributions they are going to be making.

CHAIRMAN BISHOP:

You mean we don't have resolution that reflect the proper --

DIRECTOR ISLES:

I'm not aware that they're --

MR. SABATINO:

1184 was supposed to be Powell. Powell never came forward with anything.

DIRECTOR ISLES:

No. 1204, Peat Hole.

MR. SABATINO:

I'm sorry.

LEG. CARACCILO:

The contributions have changed.

CHAIRMAN BISHOP:

Put on the record that there's -- what is it? There's 25,000 from Brookhaven, 175,000 from --

MR. SABATINO:

I read percentages on the record before. That information was communicated to you by Real Estate. I didn't generate it, so I don't know where it came from.

CHAIRMAN BISHOP:

What information?

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MR. SABATINO:

The information that changed the resolution. 1204 was changed last week. The request came into your office from Real Estate and was communicated to my office -- not to your office, I'm sorry -- to Legislator Foley's Office and communicated to my office, but I don't know where it came from.

MS. FISCHER:

We don't have the town or village resolution.

CHAIRMAN BISHOP:

Let me just ask this. Ultimately, does it matter if we have -- we're not going to pay more than what's in the resolution, correct?

DIRECTOR ISLES:

Right. The resolution limits it to \$200,000.

CHAIRMAN BISHOP:

And we're not going to pay anything unless we get their resolution anyhow. So why do we need to wait for their resolutions?

DIRECTOR ISLES:

That's up to you, but typically you do.

CHAIRMAN BISHOP:

Typically we do, but there's real risk.

MR. SABATINO:

I don't know where this information came from. Real Estate sent something to Foley, Foley sent it to my office. I looked at these numbers, they made no sense to me, but --

CHAIRMAN BISHOP:

Who's the Legislator on this?

MR. SABATINO:

-- to beat the deadline, we filed it.

LEG. CARACCIOLO:

I make a motion to reconsider 1204.

CHAIRMAN BISHOP:

I'm not supporting it. Motion by reconsider 1204 by Legislator Caracciolo, is there a second? Fails for a lack of second. Our prior action on this resolution stands, and I think we're clear on what the implications are.

1222. Establishing Task Force for Agricultural Environmental Management in Suffolk County. (FISHER)

LEG. CARACCIOLO:

No, I want to make sure that we're not, that's all. Counsel, back to 1204. What would be the proper procedure to make certain that our intent limiting our contribution is consistent with the action of this Legislature?

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MR. SABATINO:

Our commitment is limited by virtue of the resolution, but the commitment or the binding obligation on the part of village is not in place. So you wind up in a situation in which the transaction wouldn't close if the village were to either not make that commitment or renege on the verbal representation that was made.

LEG. CARACCIOLO:

Okay. Now, that would be inconsistent, Mr. Chairman, with the way this committee has always operated, and that is to incorporate by resolution the town and village resolutions and the proper amounts. You are going to go down a slippery slope if you start to deviate from that.

CHAIRMAN BISHOP:

I don't know how slippery it is. We had a village trustee lay out on the record what the -- and our exposure is zero, because we can't go forward, we're bound by the terms of the resolution. And the terms of resolution imply and bind these other jurisdictions to those amounts we believe they're going to come forward with. And if they don't, then we can't move forward all together.

LEG. GULDI:

Mr. Chairman, point of order. We're debating a resolution -- the reconsideration of a resolution that didn't get a second. Can we move down the agenda, please?

LEG. CARACCILOLO:

Well, before we move down the agenda, can we just put on the record what the contribution rates are? Mr. Isles?

LEG. VILORIA-FISHER:

We did.

LEG. CARACCILOLO:

I want to hear them again. That's all. I'll save it for Tuesday. I'll find out from you later, Tom.

LEG. VILORIA-FISHER:

Motion to approve 1222.

CHAIRMAN BISHOP:

It was 175 from the village, 25 from the town, and 200 from the county for 400, plus 15,000 for closing costs that was raised from the community.

LEG. VILORIA-FISHER:

Right. \$200,000 to the county, 75 to the town, 175 from the village. And he did indicate that they were -- there was \$15,000 that had come from community members, and that would be used as part of the villages' expenses.

CHAIRMAN BISHOP:

Okay. Thank you. 1222.

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LEG. VILORIA-FISHER:

Motion to approve

CHAIRMAN BISHOP:

Motion to approve by Legislator Fisher, seconded by Legislator Fields. All in favor? Opposed? 1222 is APPROVED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1243. Approving acquisition under Suffolk County Multifaceted Land Preservation Program for Stage II Active Parklands (Holbrook Road, LAAM Property in Centereach) Town of Brookhaven. (CARACAPPA)

CHAIRMAN BISHOP:

Isn't this one that used to come in as an open space?

LEG. VILORIA-FISHER:
I think that was Ronkonkoma.

DIRECTOR ISLES:
The problem with this one is Real Estate has been -- the parcel was transferred in ownership from Matrix Reality to LAAM I think in February of this year. Real Estate has tried repeatedly including I think an on-site services to the new owner to see if they are interested in selling to the County. Thus far, we've had no response. We have been working with Legislator Caracappa to try to --

LEG. FIELDS:
Motion to table.

CHAIRMAN BISHOP:
We did planning steps, right?

DIRECTOR ISLES:
Yes.

CHAIRMAN BISHOP:
So this is strange that he would put it in.

CHAIRMAN BISHOP:
Motion to table by myself, seconded by Legislator Fields. All in favor? Opposed? TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1246. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (property of Gabby Lane) Town of Southampton. (GULDI)

LEG. GULDI:
Motion to table.

CHAIRMAN BISHOP:
Motion to table by Legislator Guldi, seconded by myself. All in favor? Opposed? TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1252. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Mediavilla Property) Town of Huntington. (BINDER)

CHAIRMAN BISHOP:
This is a planning steps only, you want to comment, Mr. Isles?

DIRECTOR ISLES:
This came up at the last meet. I think there was a question as to

what program it was going to be acquired under. I spoke to Legislative Aide for Legislator Binder, he indicated the intention is to purchase it for open space at this point.

CHAIRMAN BISHOP:
And?

DIRECTOR ISLES:
And?

CHAIRMAN BISHOP:
Do you have an aerial?

DIRECTOR ISLES:
It is adjacent to Berkley-Jackson County Park.

CHAIRMAN BISHOP:
Did it score high?

DIRECTOR ISLES:
I think the original part of it -- we saw language in the resolution that talked about Stage II Active Recreation. We thought maybe it was active recreation development. In calling the sponsor's aide, they indicate that they are putting it in for open space. So it's obviously not active recreation.

LEG. CARACCILOLO:
Motion.

LEG. GULDI:
It's not ranked?

DIRECTOR ISLES:
No.

CHAIRMAN BISHOP:
Motion to table by Legislator Fisher, second by myself. All in favor? Opposed? TABLED. (VOTE: 5-0-0-1) (Not present; Legis. Haley)

LEG. CARACCILOLO:
When will you have it ranked?

DIRECTOR ISLES:
We can have it ranked within about two weeks.

CHAIRMAN BISHOP:
See you in July. Motion to table -- we did that. It's tabled.

1253. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Property of Stiber) Town of

Shelter Island. (Caracciolo)

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LEG. CARACCIOLO:

Motion to table.

CHAIRMAN BISHOP:

Didn't Shelter Island come in with a couple of things, and they promised us that they were not coming in any more?

LEG. CARACCIOLO:

Actually, this acquisition, Mr. Isles has indicated is too small.

CHAIRMAN BISHOP:

Motion to table by Legislator Caracciolo, second by Legislator Guldi.
All in favor? Opposed? TABLED (VOTE:5-0-0-1) (Not present; Legis. Haley)

1264. Approving the reappointment of Richard O'Dea as a member of the Suffolk County Planning Commission, representing Town of Riverhead.
(COUNTY EXEC)

CHAIRMAN BISHOP:

Legislator Caracciolo.

LEG. CARACCIOLO:

I has requested and I have not received the attendance records for the members of the Planning Commission, Tom.

LEG. FIELDS:

Motion to table.

LEG. CARACCIOLO:

You recall I made that request?

DIRECTOR ISLES:

For Mr. O'Dea of for the whole commission?

LEG. CARACCIOLO:

For the whole commission.

DIRECTOR ISLES:

I thought you just requested Mr. O'Dea. We certainly have it, we can do it.

LEG. CARACCIOLO:

It's funny, I just got the attendance for the Human Rights Commission, which I didn't request. All right. We'll table it. He's a

hold-over, right?

DIRECTOR ISLES:
Yes.

LEG. CARACCIOLO:
Okay. No problem.

DIRECTOR ISLES:
We'll send a copy.

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CHAIRMAN BISHOP:
If the issue was his attendance and we have the answer, why don't we just put --

LEG. CARACCIOLO:
Tom, you chair the Planning Commission.

DIRECTOR ISLES:
No, I don't.

LEG. CARACCIOLO:
Who does?

DIRECTOR ISLES:
Don Eversoll is the Chairman.

LEG. CARACCIOLO:
Oh, that's right. You're a member.

DIRECTOR ISLES:
Well, I'm not a member either, I'm staff support.

LEG. CARACCIOLO:
Table one cycle. How many meeting are there between now and our August meeting?

CHAIRMAN BISHOP:
Legislator Caracciolo wants it to be tabled. It's his district representative.

LEG. CARACCIOLO:
Do you meet in July?

CHAIRMAN BISHOP:
Motion to table by Legislator Caracciolo, seconded myself. All in favor? Opposed? TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

1312. Making a SEQRA determination in connection with the proposed renovations to County building #50, CP 1765, Hauppauge, Town of Smithtown. (PRESIDING OFFICER)

CHAIRMAN BISHOP:

Motion by myself, second by Legislator Fields. All in favor?

Opposed? APPROVED (VOTE:5-0-0-1) (Not present; Legis. Haley)

1313. Making a SEQRA determination in connection with the proposed improvements to County Center, C-001, CP 1643, Riverhead, Town of Southampton. (PRESIDING OFFICER)

LEG. VILORIA-FISHER:

Motion.

LEG. GULDI:

Second.

CHAIRMAN BISHOP:

Motion by Legislator Viloria-Fisher, seconded by Legislator Guldi.

All in favor? Opposed? APPROVED (VOTE:5-0-0-1) (Not present; Legis. Haley)

1391. Amending the 2003 Capital budget and Program and appropriating funds in connection with the purchase of Environmental Health Laboratory Equipment. (COUNTY EXEC)

CHAIRMAN BISHOP:

Didn't we do this?

MR. SABATINO:

Again, changes the method of financing. It's in the Capital Budget, but as pay-as-you-go. This would convert to the serial bonds that \$311,000.

LEG. GULDI:

Motion.

CHAIRMAN BISHOP:

Motion by Legislator Guldi, seconded by Legislator Vilorio-Fisher.

All in favor? Opposed? Please list me as opposed. APPROVED

(VOTE: 4-1-0-1) (Opposed; Legis. Bishop) (Not present; Legis. Haley)

1393. Amending the 2003 Capital budget and Program and appropriating funds in connection with the study for the occurrence of brown tide in marine water. (COUNTY EXEC)

LEG. GULDI:

Motion.

LEG. CARACCILOLO:

Second.

CHAIRMAN BISHOP:

Is this -- again, this is contemplated a 5-25-5? No.

MR. SABATINO:

This was training and planning money for again equipment type money for brown tide studies. And the reason it was tabled last time was there was a defect. And I believe the defect was corrected.

LEG. CARACCILOLO:

Commissioner Gordon?

CHAIRMAN BISHOP:

Where are you going? There's no leaving the Environment, Land Acquisition and Planning meeting. Do you have a question.

LEG. CARACCILOLO:

I just wanted to thank her for joining us.

CHAIRMAN BISHOP:

Motion by myself, seconded by Legislator Fields. All in favor?

Opposed? APPROVED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

LEG. VILORIA-FISHER:

On the motion. I would just like to ask Counsel a question. Paul, this wouldn't be the same sort of problem we had with the other environment equipment that we needed where the \$50,000 now is in pay-as-you-go? This is a different program?

MR. SABATINO:

It's a similar issue, it's \$150,000 of different equipment. This is

brown tide equipment.

LEG. VILORIA-FISHER:

I know it's different equipment, I'm just saying is the fiscal issue the same issue?

MR. SABATINO:

Absolutely. I'm sorry. This was already in the Capital Budget. This was a straight appropriation. The problem was there was a defect the time in the resolve clause in terms of appropriating the money. This corrected the defect. I apologize.

TABLED CEQ RESOLUTIONS

70-02. Proposed Suffolk County Department of Public Works - 2--3 vector Control Plan of Work, (Recommendation - impermissible segmentation)

CHAIRMAN BISHOP:

Now that we've approved the Vector Control Plan, Counsel are we -- I guess we spend a moment on this. We can't just --

LEG. VILORIA-FISHER:

A moment of silence or?

CHAIRMAN BISHOP:

A moment of contemplation. Counsel, are you contemplating?

MR. SABATINO:

Well, 70 should form the basis for IR 1045, which I believe we tabled earlier.

LEG. GULDI:

Motion to table.

CHAIRMAN BISHOP:

Okay. Motion to table then. Motion to table by myself, seconded by Legislator Guldi. TABLED (VOTE: 5-0-0-1) (Not present; Legis. Haley)

10-03. Proposed acquisition of Active Parkland at Marion Carll School, Commack, Town of Huntington, under the Suffolk County Greenways Program. (Unlisted action, negative declaration)

LEG. FIELDS:

Motion to table.

CHAIRMAN BISHOP:

Why was this tabled?

MR. SABATINO:

That's just been one that I think the committee was not receptive to the concept. So that's up to you to vote on.

CHAIRMAN BISHOP:

All right. Motion to table subject to call by myself, seconded by Legislator Caracciolo. All in favor? Opposed? TABLED SUBJECT TO CALL (VOTE: 5-0-0-1) (Not present; Legis. Haley)

That concludes the agenda. Motion to adjourn having been made and seconded, we stand adjourned.

(*THE MEETING WAS ADJOURNED AT 4:30 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY